

**From:** Jackson, Ryan  
**Location:** Room 3402 WJC North  
**Importance:** Normal  
**Subject:** General Discussion with John Reeder  
**Start Date/Time:** Thur 5/11/2017 5:30:00 PM  
**End Date/Time:** Thur 5/11/2017 6:00:00 PM

**From:** Jackson, Ryan  
**Location:** Room 3402 WJC-North  
**Importance:** Normal  
**Subject:** General Discussion with John Reeder  
**Start Date/Time:** Mon 5/8/2017 1:00:00 PM  
**End Date/Time:** Mon 5/8/2017 1:30:00 PM

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**Cc:** Schwab, Justin[schwab.justin@epa.gov]; Brown, Byron[brown.byron@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov]; Reeder, John[Reeder.John@epa.gov]; Torma, Tim[Torma.Tim@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Greenwalt, Sarah[greenwalt.sarah@epa.gov]; Freire, JP[Freire.JP@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Cozad, David[Cozad.David@epa.gov]; Bolen, Brittany[bolen.brittany@epa.gov]; Richardson, RobinH[Richardson.RobinH@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Starfield, Lawrence  
**Sent:** Thur 4/20/2017 4:44:24 PM  
**Subject:** Recall: Daily enforcement report

Starfield, Lawrence would like to recall the message, "Daily enforcement report ".

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**Cc:** Brown, Byron[brown.byron@epa.gov]; Schwab, Justin[schwab.justin@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov]; Reeder, John[Reeder.John@epa.gov]; Cozad, David[Cozad.David@epa.gov]  
**From:** Starfield, Lawrence  
**Sent:** Wed 3/22/2017 10:04:19 PM  
**Subject:** Recall: Daily enforcement report

Starfield, Lawrence would like to recall the message, "Daily enforcement report".

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**Cc:** Schwab, Justin[schwab.justin@epa.gov]; Brown, Byron[brown.byron@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov]; Reeder, John[Reeder.John@epa.gov]; Torma, Tim[Torma.Tim@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Greenwalt, Sarah[greenwalt.sarah@epa.gov]; Freire, JP[Freire.JP@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Cozad, David[Cozad.David@epa.gov]; Bolen, Brittany[bolen.brittany@epa.gov]; Richardson, RobinH[Richardson.RobinH@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Starfield, Lawrence  
**Sent:** Thur 4/20/2017 4:43:57 PM  
**Subject:** Daily enforcement report

Ryan,

Here is today's daily report from OECA. Just one "heads up" item:

-

VW – Criminal Sentencing: On April 21, Volkswagen AG (VW) will be sentenced in US District Court. The court is expected to accept the parties' plea agreement, in which VW pled guilty to three felonies and agreed to pay a \$2.8 billion penalty. This stems from the company's long-running scheme to illegally sell approximately 590,000 diesel vehicles in the U.S. by using a defeat device to cheat on emissions tests mandated by the Environmental Protection Agency (EPA) and the California Air Resources Board (CARB), and lying and obstructing justice to further the scheme. Additional criminal charges against VW executives and employees are pending.

Also attached is the list of the items awaiting clearance. Please let us know if you have questions or need further information.

Larry

Larry Starfield  
Acting Assistant Administrator  
Office of Enforcement and Compliance Assurance

(202) 564-2440 (office)  
(202) 564-8179 (direct)

This message is CONFIDENTIAL, and may contain legally privileged information. If you are

not the intended recipient, or believe you received this communication in error, please delete it immediately, do not copy, and notify the sender. Thank you.

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**Cc:** Brown, Byron[brown.byron@epa.gov]; Schwab, Justin[schwab.justin@epa.gov]; Cozad, David[Cozad.David@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov]; Reeder, John[Reeder.John@epa.gov]; Thomas, Deb[thomas.debrah@epa.gov]  
**From:** Starfield, Lawrence  
**Sent:** Tue 3/21/2017 9:42:36 PM  
**Subject:** Daily enforcement report  
OECA Daily Report carry-over items 3 21 17.docx

Ryan,

Here is today's daily enforcement report. Attached are items from previous days' reports that still require clearance. Please let us know if you need further information on any items.

Larry

Items Needing Decisions:

United States v. S.H. Bell – S.H. Bell processes and stores manganese, a material whose air emissions cause or contribute to long term negative health effects, including impaired motor skills and reduced cognitive functions. After monitoring and investigation showed that the company was a primary source of such emissions in Ohio and Pennsylvania, the company agreed to monitor and control its emissions in a compliance agreement (CD) that was lodged in federal court on January 18, 2017. The agreement is based on the “imminent and substantial endangerment” provisions in the CAA and CERCLA. The public comment period on that agreement has closed. Comments have been received from two citizens requesting that the company be shut down until it reduces its emissions, and from representatives of the manganese industry disputing the health effects finding. DOJ has prepared a response to comments and request that the compliance agreement be entered, referring to health studies by the CDC's Agency of Toxic Substance and Disease Registry of the adverse health effects due to manganese exposure in the surrounding community. The states of OH and PA and the respective mayors have been kept informed and have not expressed any objections or concerns. The court has ordered the U.S. to either file a motion to enter the agreement or withdraw it by March 30, 2017.

**Ex. 5 - Deliberative Process**

U.S. and State of Colorado vs. Colorado Springs – **Ex. 5 - Deliberative Process, Ex. 7(A)**

**Ex. 5 - Deliberative Process, Ex. 7(A)**

## **Ex. 5 - Deliberative Process, Ex. 7(A)**

Larry Starfield  
Acting Assistant Administrator  
Office of Enforcement and Compliance Assurance  
(202) 564-8179 (direct)  
(202) 505-0961 (cell)

This message is CONFIDENTIAL, and may contain legally privileged information. If you are not the intended recipient, or believe you received this communication in error, please delete it immediately, do not copy, and notify the sender. Thank you.



## OECA Daily Reports - Carry-over items awaiting clearance

From 3/20/17 daily report

United States v. VW – By the end of this week, DOJ intends to file a motion seeking court approval of the second of three partial settlements with VW. This second settlement resolves allegations that Volkswagen equipped approximately 80,000 three-liter light-duty diesel vehicles with defeat devices. This agreement includes a multi-faceted recall for vehicles (including buyback for some and technical fixes). The settlement also secures \$225 million in additional funding for the Mitigation Trust established under the first partial settlement (already approved by the Court), which provides money directly to states, DC, Puerto Rico, and tribes to fund clean air projects of their choice. The comment period has closed on the settlement, and DOJ has received comments from some owners who are not satisfied with the buyback provisions that were negotiated with the FTC and the class action representatives, and some comments about the zero-emission vehicle (ZEV) provisions in the first partial settlement. (Note: There are no ZEV provisions in this second settlement.) DOJ intends to file a Motion to Enter the settlement on March 24, 2017. Enforcement of the mobile source provisions of the CAA is not delegated to the states.

Maxus Energy Bankruptcy – Maxus is a Potentially Responsible Party at the Diamond Alkali Superfund Site in New Jersey, which includes a 17-mile stretch of the Passaic River and portions of Newark Bay contaminated by dioxin, PCBs, mercury, DDT and other contaminants. Maxus is going through Chapter 11 bankruptcy, and the United States has large claims in the bankruptcy in light of expected future cleanup costs of over \$1 billion. Maxus is seeking bankruptcy court approval of a \$130 million settlement that Maxus negotiated with its parent company YPF, SA (a corporation controlled by the Argentine government), to resolve claims that the parent company had improperly stripped its subsidiary of funds and controlled its decision making. The United States and other PRPs at the Site believe that Maxus' proposal falls far short of what the parent company's liability should be. Another large PRP at the Site, OCC Occidental Chemical Corporation, who also has very large claims against Maxus and has been cooperating with the government on the cleanup, is seeking United States' support for an alternative bankruptcy plan to be filed on or about March 27. Under this alternative plan, Occidental would be assigned and pursue the parent liability claims against Maxus' South American parent company, which we believe is likely to result in a larger bankruptcy estate with substantially greater funds available for cleanup at the Site. Occidental has made EPA aware of a November 2016 request from Argentina to the Commerce Department seeking reinstatement of "unilateral trade preference" for Argentina, which Occidental opposes in a March 2, 2017 letter to the Commerce Department highlighting the actions of YPF, SA to strip Maxus of funds and abandon environmental liabilities in the U.S.

### **Ex. 5 - Deliberative Process**

## **Ex. 5 - Deliberative Process**

From 3/17/17 daily report

The Toa Alta Municipal Solid Waste Landfill in Puerto Rico is posing significant risks to public health and the environment. The liner and leachate controls have been abandoned and damaged, and large volumes of uncontrolled contaminated leachate and storm water are being released. The landfill, which

is already filled to capacity, is located over an important drinking water aquifer and is in close proximity to residences. During the week of March 20, Region 2 plans to issue a unilateral administrative order under RCRA §7003 (an “imminent and substantial endangerment” provision) to the municipality and several companies that presently or formerly operated the landfill, requiring: certain urgent improvements to operations at the landfill; the prompt evaluation and repair, if possible, of the leachate control system; the permanent cessation of waste receipt at the landfill by a specified date, followed by the application of an intermediate cover; and steps to minimize the landfill serving as a breeding ground for mosquitoes carrying the Zika virus (a significant health threat on the island). No penalty is being sought.

Region 2 has previously taken enforcement actions to abate threats at twelve other landfills in Puerto Rico.

### **Ex. 5 - Deliberative Process**

#### **Ex. 5 - Deliberative Process**

OECA and Region 2

briefed Justin Schwab on this matter on February 15, 2017. This is a time-sensitive matter, given the overflows from the landfill. If possible, we’d request a response by early next week.

From 3/16/17 daily report:

Westward Seafoods - Westward Seafoods operates a seafood processing facility in Dutch Harbor, Alaska that violated the Clean Air Act by operating for two years without using required air pollution controls, resulting in illegal emissions of 105 tons of NOx. The company has a history of serious noncompliance and was the subject of a prior EPA enforcement action. EPA and the State of Alaska, as co-plaintiffs, have negotiated a compliance agreement to resolve the current violations. The agreement requires Westward to correct the violations, install a new monitoring system, and retain an independent third party to verify its compliance. Westward will also implement two energy efficiency environmental mitigation projects at its facility, to offset the illegal NOx emissions, and pay a \$1.3M penalty. DOJ plans to lodge the agreement in federal district court during the week of March 20. We briefed Justin on this case in February, and will review the case with him early next week.

From 3/15/17 daily report:

US v. Luminant –

### **Ex. 5 - Deliberative Process, Ex. 7(A)**

## **Ex. 5 - Deliberative Process, Ex. 7(A)**

## Ex. 5 - Deliberative Process, Ex. 7(A)

From 3/14/17 daily report:

Nooksack Indian Tribe – Serious, health-threatening violations of the Safe Drinking Water Act are on-going at six public waters systems operated by the Nooksack Indian Tribe in WA State.

Ex. 5 - Deliberative Process

## Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process EPA has direct enforcement responsibility on tribal land.

Clean Air Act Section 114 information requests –

Ex. 5 - Deliberative Process, Ex. 7(A)

## Ex. 5 - Deliberative Process, Ex. 7(A)

Callahan Mine Superfund Site, Brooksville, Maine – This CERCLA site is a 200-acre abandoned metals mine with PCB contamination and acid generating waste rock, where EPA is implementing a capping remedy to clean up the site. To help implement this remedy, DOJ/EPA and the State of Maine plan to file by March 17 with the US District Court in Maine a motion to enter a compliance agreement. As part of the agreement, Smith Cove – a non-profit Maine corporation landowner – will permit EPA to use soil and other material located on Smith Cove's property, which will limit the need to bring material from offsite, eliminate thousands of trips of heavy truck traffic on local roads, and reduce the cost of the remedy.

From 3/13/17 daily report:

U.S. v. Harley Davidson – Harley Davidson sold over 340,000 devises that illegally increased emissions from motor cycles and 12,000 motor cycles that were not properly certified under the Clean Air Act, resulting in significant emissions of hydrocarbons and NOx. This week, DOJ would like to file a Motion to Enter the compliance agreement in which Harley agreed to pay a penalty of \$12M for these violations. Harley also agreed to mitigate the effects of its violations through funding the replacement of wood stoves with cleaner appliances, valued at \$3M. Cong. Jason Chaffetz raised a question about the wood stoves project.

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Enforcement of the mobile source provisions of the Clean Air Act is not delegated to the states.

US v. Nevada Cement - Nevada Cement violated the CAA when it made major modifications to its plant, resulting in significant increased emissions of NOx, without first obtaining a required permit and without

installing necessary pollution control equipment. On March 15, 2017 DOJ intends to move to enter a compliance agreement in which Nevada Cement has agreed to install new air pollution control equipment that will reduce NOx emissions by approximately 1,140 tons per year, costing approximately \$2.5 million, and pay a penalty of \$550,000.

**Ex. 5 - Deliberative Process**

## **Ex. 5 - Deliberative Process**

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**Cc:** Schwab, Justin[schwab.justin@epa.gov]; Brown, Byron[brown.byron@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov]; Reeder, John[Reeder.John@epa.gov]; Torma, Tim[Torma.Tim@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Greenwalt, Sarah[greenwalt.sarah@epa.gov]; Freire, JP[Freire.JP@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Cozad, David[Cozad.David@epa.gov]; Bolen, Brittany[bolen.brittany@epa.gov]; Richardson, RobinH[Richardson.RobinH@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Fotouhi, David[fotouhi.david@epa.gov]; Hupp, Sydney[hupp.sydney@epa.gov]; Rodrigues, Cecil[rodrigues.cecil@epa.gov]; Armstead, John A.[Armstead.John@epa.gov]  
**From:** Starfield, Lawrence  
**Sent:** Fri 5/19/2017 4:03:23 PM  
**Subject:** Daily enforcement report  
[OECA Daily Report carry-over items 5 19 17.docx](#)

Ryan,

Here is today's daily report from OECA, with two "heads up" items:

Fiat Chrysler Automobiles (FCA):

**Ex. 5 - Deliberative Process**

## Ex. 5 - Deliberative Process

NASA's Request for Additional Hours of Operation for its Internal Combustion Engines at Goddard Space Flight Center, Virginia [updated information]:

**Ex. 5 - Deliberative Process**

## Ex. 5 - Deliberative Process

# Ex. 5 - Deliberative Process

Also attached is the list of the items awaiting clearance. Please let us know if you have questions or need further information.

Larry

Larry Starfield  
Acting Assistant Administrator  
Office of Enforcement and Compliance Assurance

(202) 564-2440 (office)  
(202) 564-8179 (direct)

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OECA Daily Reports - Carry-over items awaiting clearance

From 5/18 – no new items

From 5/17 – no new items

From 5/16 – no new items

From 5/15 - no new items

From 5/12 – heads up on Alon USA compliance agreement and Black Elk Energy guilty plea

From 5/11 – no new items, Nevada Cement cleared

From 5/10 – no new items, no report

From 5/9 – no new items, no report

From 5/8 – no new items, no report

From 5/5 – no new items, no report

From 5/4 – no new items, no report

From 5/3 – heads up on proposed order for Gowanus Canal Superfund Site

From 5/2 – heads up on criminal plea in Yazoo City, Mississippi case involving illegal disposal of gasoline into sewer system.

From 4/27, 4/28, 5/1 – no new items, no report.

From 4/26 – heads up on Syngenta Seeds, LLC.

## **Ex. 5 - Deliberative Process**

From 4/25 - heads up on Vopac settlement and VW decision to not perform emission modifications

From 4/24 – no new items, no report

From 4/21 – no new items, no report

From 4/20 – Heads up on Motion to Enter Freeport Superfund Site Settlement, and criminal sentencing in Gen X Energy.

From 4/18 – No new items

From 4/17 – No new items, XTO Energy cleared

From 4/14 - No new items, reminder of deadline on XTO Energy

From 4/13 - No new items, no report

From 4/12 – No new items, no report

From 4/11 – Report on deadline for XTO Energy

From 4/10 – Heads up on appellate brief in U.S. v. Citgo

From 4/7 – no new items, no report

From 4/6 - Heads up on deliverables under the VW settlement. No new items needing Clearance.

From 4/5 – No new items, no report.

From 4/4 – Report on deadline for NEPA comments on Atlantic Coast Pipeline – cleared.

From 4/3 - No new items needing clearance

From 3/31 – No new items needing clearance.

From 3/30 – No new items needing clearance

From 3/29/17 – no report. Shifting to morning reports.

From 3/28/17 No new items.

From 3/27/17

From 3/24/17 No new items.

From 3/23/17 - Report on Manke Lumber -- cleared, 4/4/17. Report on Sunoco – cleared, 3/31/17.

From 3/22/17 No new items.



From 3/21/17 daily report – deadline on S.H. Bell - -cleared 3/23/17.

From 3/20/17 daily report – Deadline on VW case – cleared 3/23/17. Deadline on Maxus SF case – cleared 3/22/17.

From 3/17/17 daily report – Report on Toa Alta -- cleared, 4/10/17.

From 3/16/17 daily report – Report on Westward Seafoods -- cleared, 4/10/17.

From 3/15/17 daily report: Report on US v. Luminant – cleared 4/4.

From 3/14/17 daily report:

Clean Air Act Section 114 information requests – **Ex. 5 - Deliberative Process, Ex. 7(A)**

## **Ex. 5 - Deliberative Process, Ex. 7(A)**

From 3/13/17 daily report:

U.S. v. Harley Davidson – Harley Davidson sold over 340,000 devises that illegally increased emissions from motor cycles and 12,000 motor cycles that were not properly certified under the Clean Air Act, resulting in significant emissions of hydrocarbons and NOx. This week, DOJ would like to file a Motion to Enter the compliance agreement in which Harley agreed to pay a penalty of \$12M for these violations. Harley also agreed to mitigate the effects of its violations through funding the replacement of wood stoves with cleaner appliances, valued at \$3M. Cong. Jason Chaffetz raised a question about the wood stoves project,

### **Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process** Enforcement of the mobile source provisions of the Clean Air Act is not delegated to the states. [Update: DOJ is contacting GAO, and we will discuss next steps thereafter. ]

**To:** Reeder, John[Reeder.John@epa.gov]  
**Cc:** Fraser, Scott[Fraser.Scott@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov]  
**From:** Jackson, Ryan  
**Sent:** Tue 3/7/2017 7:49:54 PM  
**Subject:** Re: DRAFT Chief of Staff Announcement

Edited some. I don't give interviews so here's the real deal. Also feel free to color in some more hair.



**Ryan Jackson** has joined us as the agency's Chief of Staff. He most recently served as Chief of Staff for U.S. Senator James Inhofe, former chairman and senior member of the U.S. Senate Environment and Public Works (EPW) Committee. Ryan has been Senator Inhofe's chief of staff since January 2011 and worked closely with the senator in other roles including counsel and chief counsel at EPW. During the previous Congress, Ryan also served as the staff director at EPW working closely with EPA on a number of legislative initiatives including the Frank R Lautenberg Chemical Safety for the 21st Century Act, state permitting for coal ash regulation and disposal, and Brownfields reauthorization. Previously, Ryan was an assistant district attorney in Oklahoma's 14th Judicial District covering Tulsa, Oklahoma. He is a native of Oklahoma City and received his BA in public administration and political science at University of Oklahoma and received a law degree from Oklahoma City University.

Ryan Jackson  
Chief of Staff  
U.S. EPA

**Ex. 6 - Personal Privacy**

On Mar 7, 2017, at 2:20 PM, Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)> wrote:



**Ryan Jackson** has joined us as the agency's Chief of Staff. He most recently served as Chief of Staff for U.S. Senator James Inhofe, senior

member of the U.S. Senate Environment and Public Works (EPW) Committee. Ryan has been Senator Inhofe's chief of staff since January 2011 and worked closely with the senator in other roles including counsel and chief counsel to EPW. Previously, Ryan was an assistant district attorney in Tulsa County and served as associate director for the Oklahoma Farm Bureau Legal Foundation. He is a native of Oklahoma City and studied political science at University of Oklahoma and received a law degree from Oklahoma City University.

**To:** Reeder, John[Reeder.John@epa.gov]  
**From:** Jackson, Ryan  
**Sent:** Tue 3/14/2017 5:53:51 PM  
**Subject:** Event Request Form.docx  
[Event Request Form.docx](#)

Should this be the meeting request form with the Administrator?

I do want to come full circle on these forms and procedure email.

Thanks.

## **Event Request Form for Administrator E. Scott Pruitt**

*To request the Administrator to attend and/or speak at your event, please complete and submit the following form.*

**Title of Event:**

**Date of Event:**

**Type of Event (banquet, lecture, panel discussion, etc.):**

**Role of the Administrator:**

**At what time will the Administrator's Remarks Begin (example 9:00 am):**

**Expected Length of the Administrator's Remarks:**

**Will there be Q&A? If so, for how long?:**

**Event begins (example 9:00 am):**

**Event ends (example 9:00 am):**

**Event address (*please include room name or number if applicable*):**

**Please list the name of the individual who will introduce the Administrator:**

**Approximate size of the audience. Please also include a brief description of the makeup of the audience (*attorneys, business owners, veterans, students etc.*):**

**Please indicate your request for the topic of the Administrator's remarks, if applicable:**

**Please list any special guests, elected officials, or other dignitaries who are invited or are expected to attend:**

**Please list any other speakers at this event:**

**Is this event open to the media?:**

**Please list a point of contact for the day of the event, including a cell phone number and e-mail address for the contact:**

**If applicable, please list the name(s) and contact information of the person(s) who will greet the Administrator upon arrival, including a cell phone number and e-mail address for each contact:**

**Please list any special information or directions, such as ongoing construction, specific points of entry, or parking instructions, about the event or location:**

**Please list below any other relevant information such as agendas, background information or other relevant information about the event. (*Information may also be attached and submitted with this form.*)**

**Please include a contact number for the event location:**

**Please indicated whether this event is held weekly, monthly or annually:**

**Please indicate the attire for this event (*business, formal, casual, etc.*):**

**Please list any agencies, businesses, schools or universities, or other organizations that may be sponsoring or co-sponsoring this event:**

**To:** Reeder, John[Reeder.John@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov]  
**From:** Jackson, Ryan  
**Sent:** Thur 3/2/2017 3:18:11 AM  
**Subject:** RE: Message to staff re budget

Thank you. Eager to talk about it.

-----Original Message-----

From: Reeder, John  
Sent: Wednesday, March 1, 2017 9:30 PM  
To: Flynn, Mike <Flynn.Mike@epa.gov>  
Cc: Jackson, Ryan <jackson.ryan@epa.gov>  
Subject: Re: Message to staff re budget

## Ex. 5 - Deliberative Process

Sent from my iPhone

> On Mar 1, 2017, at 9:18 PM, Flynn, Mike <Flynn.Mike@epa.gov> wrote:  
>  
> Ryan.

## Ex. 5 - Deliberative Process

>  
> Mike  
>  
> Mike Flynn  
> Acting Deputy Administrator  
> U.S. Environmental Protection Agency  
>  
>  
>> On Mar 1, 2017, at 8:56 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:  
>>  
>> What's a usual thing to do in these circumstances?  
>>  
>> -----Original Message-----  
>> From: McCabe, Catherine  
>> Sent: Wednesday, March 1, 2017 8:38 PM  
>> To: Schnare, David <schnare.david@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>  
>> Subject: Message to staff re budget  
>>

>>

# Ex. 5 - Deliberative Process

>>

>> Sent from my iPhone



**To:** Jackson, Ryan[jackson.ryan@epa.gov]; Reeder, John[Reeder.John@epa.gov]  
**Cc:** Moody, Christina[Moody.Christina@epa.gov]  
**From:** Richardson, RobinH  
**Sent:** Fri 4/14/2017 12:58:39 PM  
**Subject:** RE: Cardin detail

Will do. Thank you Ryan.

-----  
Robin H Richardson

Principal Deputy Associate Administrator

Office of Congressional and Intergovernmental Relations

U.S. Environmental Protection Agency

202-564-3358 (desk)

Ex. 6 - Personal Privacy (cell)

richardson.robinh@epa.gov

**From:** Jackson, Ryan  
**Sent:** Friday, April 14, 2017 8:58 AM  
**To:** Reeder, John <Reeder.John@epa.gov>  
**Cc:** Richardson, RobinH <Richardson.RobinH@epa.gov>; Moody, Christina <Moody.Christina@epa.gov>  
**Subject:** Re: Cardin detail

Please send to Mac. Thanks.

Ryan Jackson

Chief of Staff

U.S. EPA

Ex. 6 - Personal Privacy

On Apr 13, 2017, at 9:57 PM, Reeder, John <Reeder.John@epa.gov> wrote:

## Ex. 5 - Deliberative Process

John

Sent from my iPhone

Begin forwarded message:

**From:** Ex. 6 - Personal Privacy  
**Date:** April 13, 2017 at 5:32:40 PM EDT  
**To:** "Reeder, John" <Reeder.John@epa.gov>  
**Cc:** "Williams, Thea" <Williams.Thea@epa.gov>, "Cheatham-Strickland, Latonia" <Cheatham-Strickland.Latonia@epa.gov>, "Richardson, RobinH" <Richardson.RobinH@epa.gov>  
**Subject:** follow-up re: detail w/ Senate EPW, Sen. Cardin

Dear John,

Thank you again for taking the time to meet with me this afternoon to discuss the prospective detail with Senator Cardin's Senate EPW staff. As promised, I've attached an electronic copy of my resume. Please let me know if you need further information or have any questions. I look forward to following up on this fantastic opportunity!

All the best,

Ex. 6 - Personal Privacy

## Ex. 6 - Personal Privacy

## **Ex. 6 - Personal Privacy**

Ex. 6 - Personal Privacy resume 20170413.pdf>

**To:** Reeder, John[Reeder.John@epa.gov]  
**From:** Jackson, Ryan  
**Sent:** Mon 3/6/2017 4:03:23 PM  
**Subject:** Re: It's been a pleasure

Big thanks.

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 - Personal Privacy

On Mar 6, 2017, at 8:58 AM, Reeder, John <Reeder.John@epa.gov> wrote:

Yes. I'll be able to pick up this afternoon. Not this minute.

I'll send Mae a note now.

**From:** Jackson, Ryan  
**Sent:** Monday, March 06, 2017 10:48 AM  
**To:** Reeder, John <Reeder.John@epa.gov>  
**Subject:** Fwd: It's been a pleasure

Can you help me on this one?

Ryan Jackson

Chief of Staff

U.S. EPA

Ex. 6 - Personal Privacy

Begin forwarded message:

**From:** "Stevens, Mae (Cardin)" <Mae\_Stevens@cardin.senate.gov>  
**Date:** March 6, 2017 at 8:37:51 AM MST

**To:** "Ryan Jackson (jackson.ryan@epa.gov)" <jackson.ryan@epa.gov>  
**Cc:** "Lynch, Chris (Cardin)" <Chris\_Lynch@cardin.senate.gov>  
**Subject:** RE: It's been a pleasure

Hey Ryan,

Wanted to circle back on this. I'm sure you're busy getting settled in, but if you could refer me to someone you can deputize to take care of this, I would appreciate it.

Thanks!  
Mae

8-6429

**From:** Stevens, Mae (Cardin)  
**Sent:** Monday, February 27, 2017 12:42 PM  
**To:** 'Ryan Jackson (jackson.ryan@epa.gov)' <jackson.ryan@epa.gov>  
**Cc:** Lynch, Chris (Cardin) <Chris\_Lynch@cardin.senate.gov>  
**Subject:** RE: It's been a pleasure

Hey! just wanted to clarify: the person's name is Ex. 6 - Personal Privacy and he's actually an Ex. 6 - Personal Privacy not an EPA employee. As you know, these fellows very regularly get moved around between the executive and legislative branch. The head of the Office of Smart Growth is Matthew Dalbey.

thanks!

**From:** Stevens, Mae (Cardin)  
**Sent:** Monday, February 27, 2017 10:25 AM  
**To:** 'Ryan Jackson (jackson.ryan@epa.gov)' <jackson.ryan@epa.gov>  
**Cc:** Lynch, Chris (Cardin) <Chris\_Lynch@cardin.senate.gov>  
**Subject:** RE: It's been a pleasure

Ryan! Congrats! I knew that E&E article was on the money ☺

I'm sure you're busy getting settled in, but we are actually having a problem with an EPA detailee who was supposed to start today. They have been told that they are not allowed to come to our office because they don't want the transfer to make their office look partisan. That doesn't make a lot of sense to us. We've never thought of fellows or career employees (who are also often detailed over here) and the office has done a lot of great work all across the country, and has been historically supported by Democrats and Republicans alike, including Sen. Inhofe:  
<https://www.epa.gov/smartgrowth/smart-growth-your-community>

Do you think something can be done?

Thanks and big congrats again! Very glad to have you over there.  
Mae

**From:** Jackson, Ryan (Inhofe)  
**Sent:** Sunday, February 26, 2017 1:05 PM  
**To:** Jackson, Ryan (Inhofe) <[Ryan\\_Jackson@inhofe.senate.gov](mailto:Ryan_Jackson@inhofe.senate.gov)>  
**Subject:** It's been a pleasure

It has been a real pleasure to get the opportunity to work with you over the past number of years.

I just wanted to let you know that I'm looking forward to continue to work with you only in a different capacity.

I will be EPA Administrator Scott Pruitt's chief of staff, and I wanted to provide you with my new contact information.

Thank you and see you soon.

Ryan.

---

Ryan Jackson

Chief of Staff

U.S. Senator James M. Inhofe

205 Russell Senate Office Building

Washington, D.C. 20510

(202) 224-4721

(202) 228-1007 facsimile

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**Cc:** Brown, Byron[brown.byron@epa.gov]; Schwab, Justin[schwab.justin@epa.gov]; Cozad, David[Cozad.David@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov]; Reeder, John[Reeder.John@epa.gov]  
**From:** Starfield, Lawrence  
**Sent:** Mon 3/20/2017 11:00:34 PM  
**Subject:** Daily enforcement report  
OECA Daily Report carry-over items 3 18 17.docx

Ryan,

Here is today's daily enforcement report. Attached are items from previous days' reports that still require clearance. Please let us know if you need further information on any items.

Larry

New Items for clearance:

United States v. VW – By the end of this week, DOJ intends to file a motion seeking court approval of the second of three partial settlements with VW. This second settlement resolves allegations that Volkswagen equipped approximately 80,000 three-liter light-duty diesel vehicles with defeat devices. This agreement includes a multi-faceted recall for vehicles (including buyback for some and technical fixes). The settlement also secures \$225 million in additional funding for the Mitigation Trust established under the first partial settlement (already approved by the Court), which provides money directly to states, DC, Puerto Rico, and tribes to fund clean air projects of their choice. The comment period has closed on the settlement, and DOJ has received comments from some owners who are not satisfied with the buyback provisions that were negotiated with the FTC and the class action representatives, and some comments about the zero-emission vehicle (ZEV) provisions in the first partial settlement. (Note: There are no ZEV provisions in this second settlement.) DOJ intends to file a Motion to Enter the settlement on March 24, 2017. Enforcement of the mobile source provisions of the CAA is not delegated to the states.

Maxus Energy Bankruptcy – Maxus is a Potentially Responsible Party at the Diamond Alkali Superfund Site in New Jersey, which includes a 17-mile stretch of the Passaic River and portions of Newark Bay contaminated by dioxin, PCBs, mercury, DDT and other contaminants. Maxus is going through Chapter 11 bankruptcy, and the United States has large claims in the bankruptcy in light of expected future cleanup costs of over \$1 billion. Maxus is seeking bankruptcy court approval of a \$130 million settlement that Maxus negotiated with its parent company YPF, SA (a corporation controlled by the Argentine government), to resolve claims that the parent company had improperly stripped its subsidiary of funds and controlled its decision making. The United



States and other PRPs at the Site believe that Maxus' proposal falls far short of what the parent company's liability should be. Another large PRP at the Site, OCC Occidental Chemical Corporation, who also has very large claims against Maxus and has been cooperating with the government on the cleanup, is seeking United States' support for an alternative bankruptcy plan to be filed on or about March 27. Under this alternative plan, Occidental would be assigned and pursue the parent liability claims against Maxus' South American parent company, which we believe is likely to result in a larger bankruptcy estate with substantially greater funds available for cleanup at the Site. Occidental has made EPA aware of a November 2016 request from Argentina to the Commerce Department seeking reinstatement of "unilateral trade preference" for Argentina, which Occidental opposes in a March 2, 2017 letter to the Commerce Department highlighting the actions of YPF, SA to strip Maxus of funds and abandon environmental liabilities in the U.S.

**Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process**

Larry Starfield  
Principal Deputy Assistant Administrator  
Office of Enforcement and Compliance Assurance  
U.S. EPA  
Washington, DC

(202) 564-2440 (office)  
(202) 564-8179 (direct)  
(202) 505-0961 (cell)

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OECA Daily Reports - Carry-over items awaiting clearance

From 3/17/17 daily report

The Toa Alta Municipal Solid Waste Landfill in Puerto Rico is posing significant risks to public health and the environment. The liner and leachate controls have been abandoned and damaged, and large volumes of uncontrolled contaminated leachate and storm water are being released. The landfill, which is already filled to capacity, is located over an important drinking water aquifer and is in close proximity to residences. During the week of March 20, Region 2 plans to issue a unilateral administrative order under RCRA §7003 (an “imminent and substantial endangerment” provision) to the municipality and several companies that presently or formerly operated the landfill, requiring: certain urgent improvements to operations at the landfill; the prompt evaluation and repair, if possible, of the leachate control system; the permanent cessation of waste receipt at the landfill by a specified date, followed by the application of an intermediate cover; and steps to minimize the landfill serving as a breeding ground for mosquitoes carrying the Zika virus (a significant health threat on the island). No penalty is being sought.

Region 2 has previously taken enforcement actions to abate threats at twelve other landfills in Puerto Rico.

**Ex. 5 - Deliberative Process**

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OECA and Region 2 briefed Justin Schwab on this matter on February 15, 2017. This is a time-sensitive matter, given the overflows from the landfill. If possible, we’d request a response by early next week.

From 3/16/17 daily report:

Westward Seafoods - Westward Seafoods operates a seafood processing facility in Dutch Harbor, Alaska that violated the Clean Air Act by operating for two years without using required air pollution controls, resulting in illegal emissions of 105 tons of NOx. The company has a history of serious noncompliance and was the subject of a prior EPA enforcement action. EPA and the State of Alaska, as co-plaintiffs, have negotiated a compliance agreement to resolve the current violations. The agreement requires Westward to correct the violations, install a new monitoring system, and retain an independent third party to verify its compliance. Westward will also implement two energy efficiency environmental mitigation projects at its facility, to offset the illegal NOx emissions, and pay a \$1.3M penalty. DOJ plans to lodge the agreement in federal district court during the week of March 20. We briefed Justin on this case in February, and will review the case with him early next week.

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**Ex. 5 - Deliberative Process**

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From 3/15/17 daily report:

US v. Luminant –

**Ex. 5 - Deliberative Process, Ex. 7(A)**

**Ex. 5 - Deliberative Process, Ex. 7(A)**

## Ex. 5 - Deliberative Process, Ex. 7(A)

US v. Detroit Edison – In 2010, the United States filed a complaint against Detroit Edison (DTE) for violations of the Clean Air Act's NSR/PSD requirements, when it performed a \$65 million renovation project at the Monroe Power Plant in Detroit, Michigan without first obtaining the necessary permit and installing SO<sub>2</sub> and NO<sub>x</sub> best available control technology (BACT), resulting in ~100,000 tons of excess emissions. In 2011, the district court granted summary judgment for DTE and the US appealed that decision. On appeal, the Sixth Circuit reversed and remanded the case back to the district court (*DTE I*). On remand, the district court again granted DTE summary judgment. On the second appeal by the US, the Sixth Circuit reversed and remanded in a plurality opinion (*DTE II*), finding that EPA may bring an enforcement action based on a challenge to the company's pre-construction emissions projections. On February 24, 2017, DTE filed a petition for rehearing and rehearing en banc. The US response is due on April 3, and DOJ has asked for EPA's position on the petition by March 17, 2017.

Ex. 5 - Deliberative Process

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Nooksack Indian Tribe – Serious, health-threatening violations of the Safe Drinking Water Act are ongoing at six public water systems operated by the Nooksack Indian Tribe in WA State.

Ex. 5 - Deliberative Process

## Ex. 5 - Deliberative Process

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EPA has direct enforcement responsibility on tribal land.

Clean Air Act Section 114 information requests –

Ex. 5 - Deliberative Process, Ex. 7(A)

## Ex. 5 - Deliberative Process, Ex. 7(A)

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From 3/13/17 daily report:

U.S. v. Harley Davidson – Harley Davidson sold over 340,000 devises that illegally increased emissions from motor cycles and 12,000 motor cycles that were not properly certified under the Clean Air Act, resulting in significant emissions of hydrocarbons and NOx. This week, DOJ would like to file a Motion to Enter the compliance agreement in which Harley agreed to pay a penalty of \$12M for these violations. Harley also agreed to mitigate the effects of its violations through funding the replacement of wood stoves with cleaner appliances, valued at \$3M. Cong. Jason Chaffetz raised a question about the wood stoves project,

**Ex. 5 - Deliberative Process**

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Enforcement of the mobile source provisions of the Clean Air Act is not delegated to the states.

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**Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process**

**To:** Reeder, John[Reeder.John@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Vizian, Donna  
**Sent:** Tue 4/18/2017 3:04:59 PM  
**Subject:** RE: American flag

Thanks for passing this along. We have notified GSA and they are working to replace it. The security folks are also looking to see if we have information on the tapes from our cameras determine what happened.

**From:** Reeder, John  
**Sent:** Tuesday, April 18, 2017 8:42 AM  
**To:** Vizian, Donna <Vizian.Donna@epa.gov>  
**Subject:** Fwd: American flag

Sent from my iPhone

Begin forwarded message:

**From:** "Dravis, Samantha" <dravis.samantha@epa.gov>  
**Date:** April 18, 2017 at 8:38:47 AM EDT  
**To:** "Reeder, John" <Reeder.John@epa.gov>  
**Cc:** "Jackson, Ryan" <jackson.ryan@epa.gov>  
**Subject:** American flag

The American flag is not flying outside the EPA building, it looks like it either got taken down or fell down? It's just the EPA flag. Can you please find out who can fix this?

Thanks

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**Cc:** Brown, Byron[brown.byron@epa.gov]; Schwab, Justin[schwab.justin@epa.gov]; Reeder, John[Reeder.John@epa.gov]; Cozad, David[Cozad.David@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov]; Torma, Tim[Torma.Tim@epa.gov]  
**From:** Starfield, Lawrence  
**Sent:** Fri 3/24/2017 10:08:02 PM  
**Subject:** Daily Enforcement Report  
OECA Daily Report carry-over items 3 24 17.docx

Ryan,

We do not have any additional case filings to flag today. However, there are several items (set out below) that need a decision in the coming days. More detail is provided on the attached list of items awaiting clearance.

If you need any additional information, let us know.

Larry

U.S. and State of Colorado vs. Colorado Springs – **Ex. 5 - Deliberative Process, Ex. 7(A)**

## **Ex. 5 - Deliberative Process, Ex. 7(A)**

-

US v. Luminant – **Ex. 5 - Deliberative Process, Ex. 7(A)**

## **Ex. 5 - Deliberative Process, Ex. 7(A)**

U.S. v Sunoco Pipeline, LP – Sunoco violated the Clean Water Act (CWA) when it discharged 1,950 barrels of gasoline from a pipeline in Ohio, contaminating and killing fish in the White Ditch and causing a week-long evacuation of 70 people due to high concentrations of gasoline-related vapors. On March 28, 2017, DOJ intends to lodge a compliance agreement (CD) in federal district court in which Sunoco has agreed to pay a \$990,000 penalty for these violations (N. Dist., Ohio). **EPA needs to advise DOJ by COB Monday** if we concur with lodging this compliance agreement.

Toa Alta Municipal Solid Waste Landfill in Puerto Rico – the liner and leachate controls have been abandoned and damaged, and large volumes of uncontrolled contaminated leachate and storm water are being released, and the landfill is located over an important drinking water aquifer. Region 2 is **seeking clearance by Monday, if possible**, to issue a unilateral RCRA “imminent and substantial endangerment” order requiring urgent improvements to operations at the landfill, repair of the leachate control system, and the permanent cessation of waste receipt at the landfill. OECA and Region 2 briefed Justin Schwab on this matter on February 15, 2017.

Larry Starfield  
Acting Assistant Administrator  
Office of Enforcement and Compliance Assurance  
(202) 564-8179 (direct)  
(202) 505-0961 (cell)

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OECA Daily Reports - Carry-over items awaiting clearance

From 3/23/17

U.S. v Sunoco Pipeline, LP – Sunoco violated the Clean Water Act (CWA) when it discharged 1,950 barrels of gasoline from a pipeline in Ohio, contaminating and killing fish in the White Ditch and causing a week-long evacuation of 70 people due to high concentrations of gasoline-related vapors. On March 28, 2017, DOJ intends to lodge a compliance agreement (CD) in federal district court in which Sunoco has agreed to pay a \$990,000 penalty for these violations (N. Dist., Ohio). The oil spill provisions of the CWA are not delegated to the states. EPA needs to advise DOJ by COB Monday if we concur with lodging this compliance agreement.

Manke Lumber Co. –

**Ex. 5 - Deliberative Process, Ex. 7(A)**

**Ex. 5 - Deliberative Process, Ex. 7(A)**

From 3/22/17

No new items.

From 3/21/17 daily report

U.S. and State of Colorado vs. Colorado Springs –

**Ex. 5 - Deliberative Process, Ex. 7(A)**

**Ex. 5 - Deliberative Process, Ex. 7(A)**

From 3/20/17 daily report - resolved



From 3/17/17 daily report

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Region 2 has previously taken enforcement actions to abate threats at twelve other landfills in Puerto Rico.

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briefed Justin Schwab on this matter on February 15, 2017. This is a time-sensitive matter, given the overflows from the landfill. If possible, we’d request a response by early next week.

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From 3/15/17 daily report:

US v. Luminant

#### **Ex. 5 - Deliberative Process, Ex. 7(A)**

## **Ex. 5 - Deliberative Process, Ex. 7(A)**

## Ex. 5 - Deliberative Process, Ex.7(A)

From 3/14/17 daily report:

Clean Air Act Section 114 information requests –

Ex. 5 - Deliberative Process, Ex.7(A)

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**Cc:** Schwab, Justin[schwab.justin@epa.gov]; Brown, Byron[brown.byron@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov]; Reeder, John[Reeder.John@epa.gov]; Cozad, David[Cozad.David@epa.gov]  
**From:** Starfield, Lawrence  
**Sent:** Fri 3/17/2017 10:44:03 PM  
**Subject:** Daily enforcement report  
OECA Daily Report carry-over items 3 17 17.docx

Ryan,

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Larry

-

-

New Item Needing Clearance:

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Office of Enforcement and Compliance Assurance  
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decision. On appeal, the Sixth Circuit reversed and remanded the case back to the district court (*DTE I*). On remand, the district court again granted DTE summary judgment. On the second appeal by the US, the Sixth Circuit reversed and remanded in a plurality opinion (*DTE II*), finding that EPA may bring an enforcement action based on a challenge to the company's pre-construction emissions projections. On February 24, 2017, DTE filed a petition for rehearing and rehearing en banc. The US response is due on April 3, and DOJ has asked for EPA's position on the petition by March 17, 2017.

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**Ex. 5 - Deliberative Process**

## **Ex. 5 - Deliberative Process**

**To:** Reeder, John[Reeder.John@epa.gov]  
**Cc:** Willis, Sharnett[Willis.Sharnett@epa.gov]  
**From:** Jackson, Ryan (Inhofe)  
**Sent:** Wed 2/22/2017 7:13:23 PM  
**Subject:** Re: need to talk

I agree.

---

Ryan Jackson  
Chief of Staff  
U.S. Senator James M. Inhofe  
205 Russell Senate Office Bldg.  
Washington, D.C. 20510  
(202) 224-4721

On Feb 22, 2017, at 12:49 PM, Reeder, John <Reeder.John@epa.gov> wrote:

I'll stand it up if this concept works for you:

## **Ex. 5 - Deliberative Process**

Sent from my iPhone

On Feb 22, 2017, at 12:15 PM, Jackson, Ryan (Inhofe)  
<Ryan\_Jackson@inhofe.senate.gov> wrote:

I'd love to hear but today and tomorrow is a marathon unless we can get together earlier.

---

Ryan Jackson  
Chief of Staff  
U.S. Senator James M. Inhofe  
205 Russell Senate Office Bldg.  
Washington, D.C. 20510

**Ex. 6 - Personal Privacy**

On Feb 22, 2017, at 12:00 PM, Reeder, John <Reeder.John@epa.gov> wrote:



Ryan,

I've given some thought and had many conversations about setting up a little scheduling group.

Would like to run the proposal by you, and then get things moving.

Do you have a time we can talk....I'm in a noon meeting but can break free if necessary.

Thanks

JReeder  
202 564 6082 (direct)

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**Cc:** Brown, Byron[brown.byron@epa.gov]; Schwab, Justin[schwab.justin@epa.gov]; Reeder, John[Reeder.John@epa.gov]; Cozad, David[Cozad.David@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov]  
**From:** Starfield, Lawrence  
**Sent:** Thur 3/23/2017 10:53:55 PM  
**Subject:** Daily Enforcement Report  
OECA Daily Report carry-over items 3 23 17.docx

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Larry

**New Items Needing Clearance:**

U.S. v Sunoco Pipeline, LP – Sunoco violated the Clean Water Act (CWA) when it discharged 1,950 barrels of gasoline from a pipeline in Ohio, contaminating and killing fish in the White Ditch and causing a week-long evacuation of 70 people due to high concentrations of gasoline-related vapors. On March 28, 2017, DOJ intends to lodge a compliance agreement (CD) in federal district court in which Sunoco has agreed to pay a \$990,000 penalty for these violations (N. Dist., Ohio). The oil spill provisions of the CWA are not delegated to the states. EPA needs to advise DOJ by COB Monday if we concur with lodging this compliance agreement.

Manke Lumber Co. –

**Ex. 5 - Deliberative Process, Ex.7(A)**

**Ex. 5 - Deliberative Process, Ex.7(A)**

## **Ex. 5 - Deliberative Process, Ex.7(A)**

Larry Starfield  
Acting Assistant Administrator  
Office of Enforcement and Compliance Assurance  
(202) 564-8179 (direct)  
(202) 505-0961 (cell)

This message is CONFIDENTIAL, and may contain legally privileged information. If you are not the intended recipient, or believe you received this communication in error, please delete it immediately, do not copy, and notify the sender. Thank you.

OECA Daily Reports - Carry-over items awaiting clearance

From 3/22/17

No new items.

From 3/21/17 daily report

United States v. S.H. Bell – S.H. Bell processes and stores manganese, a material whose air emissions cause or contribute to long term negative health effects, including impaired motor skills and reduced cognitive functions. After monitoring and investigation showed that the company was a primary source of such emissions in Ohio and Pennsylvania, the company agreed to monitor and control its emissions in a compliance agreement (CD) that was lodged in federal court on January 18, 2017. The agreement is based on the “imminent and substantial endangerment” provisions in the CAA and CERCLA. The public comment period on that agreement has closed. Comments have been received from two citizens requesting that the company be shut down until it reduces its emissions, and from representatives of the manganese industry disputing the health effects finding. DOJ has prepared a response to comments and request that the compliance agreement be entered, referring to health studies by the CDC’s Agency of Toxic Substance and Disease Registry of the adverse health effects due to manganese exposure in the surrounding community. The states of OH and PA and the respective mayors have been kept informed and have not expressed any objections or concerns. The court has ordered the U.S. to either file a motion to enter the agreement or withdraw it by March 30, 2017.

**Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process**

U.S. and State of Colorado vs. Colorado Springs –

**Ex. 5 - Deliberative Process, Ex.7(A)**

**Ex. 5 - Deliberative Process, Ex.7(A)**

From 3/20/17 daily report

United States v. VW – By the end of this week, DOJ intends to file a motion seeking court approval of the second of three partial settlements with VW. This second settlement resolves allegations that Volkswagen equipped approximately 80,000 three-liter light-duty diesel vehicles with defeat devices. This agreement includes a multi-faceted recall for vehicles (including buyback for some and technical fixes). The settlement also secures \$225 million in additional funding for the Mitigation Trust established under the first partial settlement (already approved by the Court), which provides money

directly to states, DC, Puerto Rico, and tribes to fund clean air projects of their choice. The comment period has closed on the settlement, and DOJ has received comments from some owners who are not satisfied with the buyback provisions that were negotiated with the FTC and the class action representatives, and some comments about the zero-emission vehicle (ZEV) provisions in the first partial settlement. (Note: There are no ZEV provisions in this second settlement.) DOJ intends to file a Motion to Enter the settlement on March 24, 2017. Enforcement of the mobile source provisions of the CAA is not delegated to the states.

From 3/17/17 daily report

The Toa Alta Municipal Solid Waste Landfill in Puerto Rico is posing significant risks to public health and the environment. The liner and leachate controls have been abandoned and damaged, and large volumes of uncontrolled contaminated leachate and storm water are being released. The landfill, which is already filled to capacity, is located over an important drinking water aquifer and is in close proximity to residences. During the week of March 20, Region 2 plans to issue a unilateral administrative order under RCRA §7003 (an “imminent and substantial endangerment” provision) to the municipality and several companies that presently or formerly operated the landfill, requiring: certain urgent improvements to operations at the landfill; the prompt evaluation and repair, if possible, of the leachate control system; the permanent cessation of waste receipt at the landfill by a specified date, followed by the application of an intermediate cover; and steps to minimize the landfill serving as a breeding ground for mosquitoes carrying the Zika virus (a significant health threat on the island). No penalty is being sought.

Region 2 has previously taken enforcement actions to abate threats at twelve other landfills in Puerto Rico.

#### Ex. 5 - Deliberative Process

#### Ex. 5 - Deliberative Process

OECA and Region 2

briefed Justin Schwab on this matter on February 15, 2017. This is a time-sensitive matter, given the overflows from the landfill. If possible, we’d request a response by early next week.

From 3/16/17 daily report:

Westward Seafoods - Westward Seafoods operates a seafood processing facility in Dutch Harbor, Alaska that violated the Clean Air Act by operating for two years without using required air pollution controls, resulting in illegal emissions of 105 tons of NOx. The company has a history of serious noncompliance and was the subject of a prior EPA enforcement action. EPA and the State of Alaska, as co-plaintiffs, have negotiated a compliance agreement to resolve the current violations. The agreement requires Westward to correct the violations, install a new monitoring system, and retain an independent third party to verify its compliance. Westward will also implement two energy efficiency environmental mitigation projects at its facility, to offset the illegal NOx emissions, and pay a \$1.3M penalty. DOJ plans to lodge the agreement in federal district court during the week of March 20. We briefed Justin on this case in February, and will review the case with him early next week.

From 3/15/17 daily report:

US v. Luminant –

#### Ex. 5 - Deliberative Process, Ex.7(A)

## Ex. 5 - Deliberative Process, Ex.7(A)

## Ex. 5 - Deliberative Process, Ex.7(A)

From 3/14/17 daily report:

Clean Air Act Section 114 information requests –

Ex. 5 - Deliberative Process, Ex.7(A)

## Ex. 5 - Deliberative Process, Ex.7(A)

From 3/13/17 daily report:

U.S. v. Harley Davidson – Harley Davidson sold over 340,000 devices that illegally increased emissions from motor cycles and 12,000 motor cycles that were not properly certified under the Clean Air Act, resulting in significant emissions of hydrocarbons and NOx. This week, DOJ would like to file a Motion to Enter the compliance agreement in which Harley agreed to pay a penalty of \$12M for these violations. Harley also agreed to mitigate the effects of its violations through funding the replacement of wood stoves with cleaner appliances, valued at \$3M. Cong. Jason Chaffetz raised a question about the wood stoves project, Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process Enforcement of the mobile source provisions of the Clean Air Act is not delegated to the states.

US v. Nevada Cement - Nevada Cement violated the CAA when it made major modifications to its plant, resulting in significant increased emissions of NOx, without first obtaining a required permit and without installing necessary pollution control equipment. On March 15, 2017 DOJ intends to move to enter a compliance agreement in which Nevada Cement has agreed to install new air pollution control equipment that will reduce NOx emissions by approximately 1,140 tons per year, costing approximately

\$2.5 million, and pay a penalty of \$550,000.

**Ex. 5 - Deliberative Process**

## **Ex. 5 - Deliberative Process**

**To:** Schwab, Justin[schwab.justin@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]  
**Cc:** Flynn, Mike[Flynn.Mike@epa.gov]; Reeder, John[Reeder.John@epa.gov]; Cozad, David[Cozad.David@epa.gov]  
**From:** Starfield, Lawrence  
**Sent:** Thur 3/23/2017 12:18:45 AM  
**Subject:** RE: Daily enforcement report

Thanks, Justin. Your understanding is correct on Maxus. We'll proceed.

Larry

Sent from my Windows Phone

---

**From:** Schwab, Justin  
**Sent:** 3/22/2017 7:14 PM  
**To:** Starfield, Lawrence; Jackson, Ryan  
**Cc:** Flynn, Mike; Reeder, John; Cozad, David  
**Subject:** RE: Daily enforcement report

[NB all: I have removed Byron from this d/t his issue with Maxus as identified below, and am stepping in to follow up on that matter at his request.

NB2: I am not participating in Volkswagen discussions at this time.]

On Maxus, I was briefed on this by OECA earlier this month. **Ex. 5 - DPP/Atty-Client**

## **Ex. 5 - DPP/Atty-Client**

**From:** Brown, Byron  
**Sent:** Wednesday, March 22, 2017 6:39 PM  
**To:** Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>  
**Cc:** Schwab, Justin <schwab.justin@epa.gov>; Flynn, Mike <Flynn.Mike@epa.gov>; Reeder, John <Reeder.John@epa.gov>; Cozad, David <Cozad.David@epa.gov>  
**Subject:** RE: Daily enforcement report

Hi Larry – I will read the VW material tonight.



On Maxus, I will ask Justin to follow up. (I've already told Superfund folks and Mike Flynn this, **Ex. 6 - Personal Privacy** Diamond Alkali Superfund site (Lower Passaic River) so I do not participate in matters involving that site.)

On Colorado Springs, I have asked my assistant to schedule that.

On Luminant, Justin was following up on a couple of questions and I need to circle back with him tomorrow to close the loop.

Also, on the SH Bell, could I chat with folks tomorrow to get a better understanding of the issues with that action? I spoke with Justin but had some additional questions. Thanks. - Byron

**From:** Starfield, Lawrence

**Sent:** Wednesday, March 22, 2017 6:05 PM

**To:** Jackson, Ryan <jackson.ryan@epa.gov>

**Cc:** Brown, Byron <brown.byron@epa.gov>; Schwab, Justin <schwab.justin@epa.gov>; Flynn, Mike <Flynn.Mike@epa.gov>; Reeder, John <Reeder.John@epa.gov>; Cozad, David <Cozad.David@epa.gov>

**Subject:** Daily enforcement report

Ryan,

We do not have any additional case filings to flag today. However, there are several items (set out below) that need a decision in the coming days. More detail is provided on the attached list of items awaiting clearance.

If you need any additional information, let us know.

Larry

United States v. VW – On March 24, DOJ intends to file a motion seeking court approval of the second of three partial settlements with VW. This second settlement resolves allegations that

Volkswagen equipped approximately 80,000 three-liter light-duty diesel vehicles with defeat devices.

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Maxus Energy Bankruptcy –

Ex. 5 - Deliberative Process

## Ex. 5 - Deliberative Process

-

U.S. and State of Colorado vs. Colorado Springs –

Ex. 5 - Deliberative Process, Ex. 7(A)

## Ex. 5 - Deliberative Process, Ex. 7(A)

-

US v. Luminant –

Ex. 5 - Deliberative Process, Ex. 7(A)

## Ex. 5 - Deliberative Process, Ex. 7(A)

Larry Starfield  
Principal Deputy Assistant Administrator  
Office of Enforcement and Compliance Assurance  
U.S. EPA  
Washington, DC

(202) 564-8179 (direct)  
(202) 505-0961 (cell)

This message is CONFIDENTIAL, and may contain legally privileged information. If you are not the intended recipient, or believe you received this communication in error, please delete it immediately, do not copy, and notify the sender. Thank you.



**To:** Reeder, John[Reeder.John@epa.gov]  
**From:** Jackson, Ryan  
**Sent:** Fri 3/3/2017 3:36:50 PM  
**Subject:** Re: OPA Clips 3/3/17

It means that we are outsourcing our work to political people outside the agency to write and deliver to us because we don't have the numbers to turn this stuff around.

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 - Personal Privacy

> On Mar 3, 2017, at 10:23 AM, Reeder, John <Reeder.John@epa.gov> wrote:  
>  
> Doniger's statement really didn't make sense to me.  
>  
>  
> -----Original Message-----  
> From: Jackson, Ryan  
> Sent: Friday, March 03, 2017 10:06 AM  
> To: Reeder, John <Reeder.John@epa.gov>; Allen, Reginald <Allen.Reginald@epa.gov>; Flynn, Mike <Flynn.Mike@epa.gov>; Munoz, Charles <munoz.charles@epa.gov>  
> Subject: Re: OPA Clips 3/3/17  
>  
> "This is a put-up job," Doniger told Bloomberg BNA. "Nobody drafts a Federal Register notice that fast, especially when you have no staff."

## Ex. 5 - Deliberative Process

>  
>  
>  
> Ryan Jackson  
> Chief of Staff  
> U.S. EPA  
> Ex. 6 - Personal Privacy  
>  
>> On Mar 3, 2017, at 10:01 AM, McGonagle, Kevin <mcgonagle.kevin@epa.gov> wrote:  
>>  
>> "This is a put-up job," Doniger told Bloomberg BNA. "Nobody drafts a Federal Register notice that fast, especially when you have no staff."

**To:** Reeder, John[Reeder.John@epa.gov]  
**From:** Jackson, Ryan  
**Sent:** Fri 3/10/2017 5:34:59 AM  
**Subject:** Re: March 09 -- Energy and Climate Report

## Ex. 5 - Deliberative Process

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 - Personal Privacy

On Mar 10, 2017, at 12:12 AM, Reeder, John <Reeder.John@epa.gov> wrote:

WSJ article on WH infrastructure said Pruitt was asked to do something, not real clear. Interestingly, he's the only one mentioned! You mentioned something already assigned to OLEM and OW so I assume you don't need me or Mike to do anything, but if you need more hands on this let me know.

Sent from my iPhone

On Mar 9, 2017, at 10:40 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

## Ex. 5 - Deliberative Process

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 - Personal Privacy

On Mar 9, 2017, at 9:40 PM, Reeder, John <Reeder.John@epa.gov> wrote:

## Ex. 5 - Deliberative Process

Sent from my iPhone

On Mar 9, 2017, at 8:57 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

How does this stuff get out?

**From:** Bloomberg BNA [<mailto:bloomberg@bna.com>]  
**Sent:** Thursday, March 9, 2017 8:52 PM  
**To:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:** March 09 -- Energy and Climate Report



## **Energy and Climate Report**

March 09, 2017 - Number 45

### **News**

#### *Climate Change*

##### **G-20 Document Shows Governments Retreating from Climate Funding**

Finance ministers for the U.S., China, Germany and other members of the Group of 20 economies may scale back a robust pledge for their governments to combat climate change, ceding efforts to the private sector.

#### *Climate Science*

##### **EPA Climate Science Next Target After Pruitt's Carbon Comments?**

The scientific underpinning of the EPA's greenhouse gas program could be the next target of Administrator Scott Pruitt's effort to roll back climate change regulations after he downplayed the warming effects of carbon dioxide.

#### *EPA*

##### **EPA Will Consider All Options as It Looks at Budget, Pruitt Says**

The EPA is in the early stages of talking to the White House about its budget, but these discussions have been largely positive, agency administrator Scott Pruitt said.

#### *EPA*

##### **N.Y. Attorney General Says He'll Fight EPA on Budget Cuts**

New York's top legal official says he will use the power of his office to hold the EPA accountable if planned budget cuts hamper the agency's ability to carry out its responsibilities.

#### *EPA*

##### **Senate Aide Named a Top Adviser to EPA Head on Climate, Clean Air**

A top Senate aide's recent move to majority counsel at the Environment and Public Works Committee was only a pit stop: Mandy Gunasekara now heads to the Environmental Protection Agency to advise its new administrator on air and climate issues.

### *Emissions Trading*

#### **UN Plan Could Put EU in Holding Pattern on Aircraft Emissions**

Participants in a United Nations effort to limit greenhouse gas emissions from aviation could end up paying even more for carbon permits than participants in the European Union's main emissions reduction system, according to speakers at a European Parliament seminar.

### *Energy*

#### **America May Be the World's Biggest LNG Supplier in Two Decades**

By 2035, the U.S. may have surpassed Australia and Qatar to become the world's biggest supplier of liquefied natural gas, according to the chief executive officers of Canadian energy giant Enbridge Inc. and LNG exporter Tellurian Inc.

### *Energy*

#### **Energy Executives Blessed by Trump Wrestle With His Trade Agenda**

President Donald Trump's vows to support more drilling, fewer rules and lower taxes gained wide backing at a meeting of top energy executives in Houston. His views on trade drew a different reaction.

### *Energy*

#### **Shell Cuts Debt with \$7.25 Billion Sale of Canada Oil Sands**

Royal Dutch Shell Plc will sell almost all of its production assets in Canada's oil sands in a \$7.25 billion deal that cuts debt and reduces involvement in one of the most environmentally damaging forms of fossil-fuel extraction.

### *Enforcement*

#### **Justice Nominee to Supervise Environment Challenged Major Rules**

The nominee for a top Justice Department job who would oversee environmental law enforcement formerly fought environmental regulations as a leading U.S. Chamber of Commerce attorney.

### *Enforcement*

#### **Los Angeles County Seeks Safety Review in Reopening Gas Field**

Any reopening of a major natural gas storage site in California could be further delayed by a county bid to reassess environment and safety concerns at the facility.

### *Hydraulic Fracturing*

#### **Marcellus Shale Well Case Puts Zoning in Spotlight**

A zoning case soon to be decided by the Pennsylvania Supreme Court could have wide implications for Marcellus Shale drilling and local governments throughout the state (Gorsline v. Bd. of Sup. of Fairfield Twp., Pa., No. 67-MAP-2016, oral arguments 3/8/17).

### *International Climate*

#### **Statoil Planning Carbon Capture Project Off Norway Coast**

Statoil ASA, Norway's biggest oil company, will submit an application to the government to operate a new carbon capture and storage project off the nation's coast.

### *Oil & Gas*

#### **A Father of Fracking Seeks to Emulate U.S. Shale Boom in Alaska**

A pioneer of the U.S. shale revolution wants to take fracking to America's final frontier. Success could help revive Alaska's flagging oil fortunes.

### *Renewable Energy*

#### **European Bank to Lend Greece \$317 Million to Finance Renewables**

The European Bank for Reconstruction and Development committed to lend 300 million euros (\$317 million) to develop renewable energy in Greece.

*Renewable Energy*

**New York State Sets New Rates for Distributed Solar Systems**

New York regulators decided to phase in new rates for community and commercial solar projects as part of the state's plan to transform how green-energy producers are compensated.

*Renewable Energy*

**Solar Project in Mali Gets Loan from African Development Bank**

The African Development Bank approved a concessional loan for a 33-megawatt solar project in southeast Mali that's being built by Norwegian renewable energy company Scatec Solar ASA and U.S. development institutions International Finance Corp. and Power Africa.

*Renewable Energy*

**U.S. Solar Slows After Industry Reached Record in 2016**

The pace of U.S. solar deployments will slow this year after installations hit a record in 2016 as developers rushed to complete large-scale power plants to qualify for a federal tax credit.

*Renewable Energy*

**Wind Power Blows Through Nuclear, Coal as Costs Drop at Sea**

Water and electric power plants don't mix well naturally, unless you add some wind.

*Science Policy*

**House Panel Advances Science Transparency, EPA Science Board Bills**

The EPA would have to publicly release more data, limit use of certain science, and alter the makeup of a board that gives the agency scientific advice under two bills a House committee advanced on March 9.

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1801 South Bell Street, Arlington, VA 22202

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Energy and Climate Report



**To:** Reeder, John[Reeder.John@epa.gov]  
**Cc:** Flynn, Mike[Flynn.Mike@epa.gov]  
**From:** Jackson, Ryan  
**Sent:** Tue 2/28/2017 1:35:32 PM  
**Subject:** Re: Follow Up to Administrator's Request for High Priority Infrastructure Projects at Staff Meeting

## Ex. 5 - Deliberative Process

Ryan Jackson  
Chief of Staff  
U.S. EPA

### Ex. 6 - Personal Privacy

On Feb 28, 2017, at 1:11 AM, Reeder, John <Reeder.John@epa.gov> wrote:

## Ex. 5 - Deliberative Process

Sent from my iPhone

Begin forwarded message:

**From:** "Shapiro, Mike" <Shapiro.Mike@epa.gov>  
**Date:** February 27, 2017 at 11:22:44 PM EST  
**To:** 2017Regionfirstassistants <2017Regionfirstassistants@epa.gov>  
**Cc:** "Reeder, John" <Reeder.John@epa.gov>, "Jackson, Ryan" <jackson.ryan@epa.gov>, "Flynn, Mike" <Flynn.Mike@epa.gov>, "Campbell, Ann" <Campbell.Ann@epa.gov>, "Best-Wong, Benita" <Best-Wong.Benita@epa.gov>, "Grevatt, Peter" <Grevatt.Peter@epa.gov>, "Sawyers, Andrew" <Sawyers.Andrew@epa.gov>, "Thompkins, Anita" <Thompkins.Anita@epa.gov>  
**Subject:** Follow Up to Administrator's Request for High Priority Infrastructure Projects at Staff Meeting

Acting Regional Administrators:

Administrator Pruitt has requested that each of the Regions provide a list of 3-5 high

priority/high visibility water infrastructure projects that meet the following criteria:

- 1) The projects should be geographically diverse
- 2) The projects should satisfy important public health or environmental goals
- 3) The projects should be eligible for funding through the DWSRF, CWSRF or through the new WIFIA program

By COB tomorrow, Tuesday, February 28, please provide the following information for each of the 3-5 projects:

- 1) Overview and short description of the project, including the city and town where the project is located
- 2) Approximate cost of the project and time frame for project completion
- 3) Readiness of project for funding
- 4) A short description of the public benefits of the project
- 5) A summary of stakeholders that have publicly supported the project
- 6) Whether the project would most likely be funded by the DWSRF, CWSRF or WIFIA program

I suggest that the latest intended use plans for the state DWSRF and CWSRF programs could be a good source of information for quickly identifying suitable projects.

I have also attached a list developed by ECOS earlier this year of potential shovel-ready water infrastructure projects in many states that may prove useful for fulfilling this request.

The attached project matrix provides a suitable format for summarizing the information for each project. Please send your list to me with a cc to Peter Grevatt and Andrew Sawyers.

Please contact me, Andrew Sawyers in the Office of Wastewater Management or Anita Thompkins in the Office of Ground Water and Drinking Water if you have any questions regarding this request.

Thanks for your help.

Mike

Michael Shapiro

Acting Assistant Administrator, Office of Water

US EPA, 4101M

1200 Pennsylvania Ave., NW

Washington, DC 20460

Ex. 6 - Personal Privacy

<shovel ready projects 2017 (003).docx>

<Project Matrix.docx>

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**Cc:** Brown, Byron[brown.byron@epa.gov]; Schwab, Justin[schwab.justin@epa.gov]; Cozad, David[Cozad.David@epa.gov]; Reeder, John[Reeder.John@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov]  
**From:** Starfield, Lawrence  
**Sent:** Thur 3/16/2017 10:18:08 PM  
**Subject:** Daily enforcement report  
OECA Daily Report carry-over items 3 16 17.docx

Ryan,

Here is today's daily enforcement report. Attached are items from previous days' reports that still require clearance. Please let us know if you need further information on any items.

Larry

New Items needing clearance:

-

Westward Seafoods - Westward Seafoods operates a seafood processing facility in Dutch Harbor, Alaska that violated the Clean Air Act by operating for two years without using required air pollution controls, resulting in illegal emissions of 105 tons of NOx. The company has a history of serious noncompliance and was the subject of a prior EPA enforcement action. EPA and the State of Alaska, as co-plaintiffs, have negotiated a compliance agreement to resolve the current violations. The agreement requires Westward to correct the violations, install a new monitoring system, and retain an independent third party to verify its compliance. Westward will also implement two energy efficiency environmental mitigation projects at its facility, to offset the illegal NOx emissions, and pay a \$1.3M penalty. DOJ plans to lodge the agreement in federal district court during the week of March 20. We briefed Justin on this case in February, and will review the case with him early next week.

Detroit Energy – This is an update to yesterday's report on this NSR power plant enforcement action pending in the 6<sup>th</sup> Circuit (details are included in the attachment). In 2016, the 6<sup>th</sup> Circuit issued a decision that is favorable for EPA.

**Ex. 5 - Deliberative Process**

# **Ex. 5 - Deliberative Process**

Larry Starfield  
Acting Assistant Administrator  
Office of Enforcement and Compliance Assurance  
(202) 564-8179 (direct)  
(202) 505-0961 (cell)

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From 3/14/17 daily report:

US v. Luminant –

Ex. 5 - Deliberative Process, Ex. 7(A)

## Ex. 5 - Deliberative Process, Ex. 7(A)

US v. Detroit Edison – In 2010, the United States filed a complaint against Detroit Edison (DTE) for violations of the Clean Air Act's NSR/PSD requirements, when it performed a \$65 million renovation project at the Monroe Power Plant in Detroit, Michigan without first obtaining the necessary permit and installing SO<sub>2</sub> and NO<sub>x</sub> best available control technology (BACT), resulting in ~100,000 tons of excess emissions. In 2011, the district court granted summary judgment for DTE and the US appealed that decision. On appeal, the Sixth Circuit reversed and remanded the case back to the district court (*DTE I*). On remand, the district court again granted DTE summary judgment. On the second appeal by the US, the Sixth Circuit reversed and remanded in a plurality opinion (*DTE II*), finding that EPA may bring an enforcement action based on a challenge to the company's pre-construction emissions projections. On February 24, 2017, DTE filed a petition for rehearing and rehearing en banc. The US response is due on April 3, and DOJ has asked for EPA's position on the petition by March 17, 2017.

Ex. 5 - Deliberative Process

## Ex. 5 - Deliberative Process

From 3/13/17 daily report:

U.S. v. Harley Davidson – Harley Davidson sold over 340,000 devices that illegally increased emissions from motor cycles and 12,000 motor cycles that were not properly certified under the Clean Air Act, resulting in significant emissions of hydrocarbons and NO<sub>x</sub>. This week, DOJ would like to file a Motion to Enter the compliance agreement in which Harley agreed to pay a penalty of \$12M for these violations. Harley also agreed to mitigate the effects of its violations through funding the replacement of wood stoves with cleaner appliances, valued at \$3M. Cong. Jason Chaffetz raised a question about the wood stoves project,

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Enforcement of the mobile source provisions of the Clean Air Act is not delegated to the states.

US v. Nevada Cement - Nevada Cement violated the CAA when it made major modifications to its plant, resulting in significant increased emissions of NOx, without first obtaining a required permit and without installing necessary pollution control equipment. On March 15, 2017 DOJ will move to enter a compliance agreement in which Nevada Cement has agreed to install new air pollution control equipment that will reduce NOx emissions by approximately 1,140 tons per year, costing approximately \$2.5 million, and pay a penalty of \$550,000.

Ex. 5 - Deliberative Process

## Ex. 5 - Deliberative Process

From 3/14/17 daily report:

Nooksack Indian Tribe – Serious, health-threatening violations of the Safe Drinking Water Act are ongoing at six public waters systems operated by the Nooksack Indian Tribe in WA State.

Ex. 5 - Deliberative Process

## Ex. 5 - Deliberative Process

Clean Air Act Section 114 information requests –

Ex. 5 - Deliberative Process, Ex. 7(A)

## Ex. 5 - Deliberative Process, Ex. 7(A)

Callahan Mine Superfund Site, Brooksville, Maine – This CERCLA site is a 200-acre abandoned metals mine with PCB contamination and acid generating waste rock, where EPA is implementing a capping remedy to clean up the site. To help implement this remedy, DOJ/EPA and the State of Maine plan to file by March 17 with the US District Court in Maine a motion to enter a compliance agreement. As part of the agreement, Smith Cove – a non-profit Maine corporation landowner – will permit EPA to use soil and other material located on Smith Cove's property, which will limit the need to bring material from offsite, eliminate thousands of trips of heavy truck traffic on local roads, and reduce the cost of the remedy.

**To:** Reeder, John[Reeder.John@epa.gov]  
**Cc:** Flynn, Mike[Flynn.Mike@epa.gov]  
**From:** Jackson, Ryan  
**Sent:** Tue 2/28/2017 10:33:17 AM  
**Subject:** Re: Follow Up to Administrator's Request for High Priority Infrastructure Projects at Staff Meeting

Yes, thank you guys.

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 - Personal Privacy

On Feb 28, 2017, at 1:11 AM, Reeder, John <Reeder.John@epa.gov> wrote:

## Ex. 5 - Deliberative Process

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**From:** "Shapiro, Mike" <Shapiro.Mike@epa.gov>  
**Date:** February 27, 2017 at 11:22:44 PM EST  
**To:** 2017Regionfirstassistants <2017Regionfirstassistants@epa.gov>  
**Cc:** "Reeder, John" <Reeder.John@epa.gov>, "Jackson, Ryan" <jackson.ryan@epa.gov>, "Flynn, Mike" <Flynn.Mike@epa.gov>, "Campbell, Ann" <Campbell.Ann@epa.gov>, "Best-Wong, Benita" <Best-Wong.Benita@epa.gov>, "Grevatt, Peter" <Grevatt.Peter@epa.gov>, "Sawyers, Andrew" <Sawyers.Andrew@epa.gov>, "Thompkins, Anita" <Thompkins.Anita@epa.gov>  
**Subject:** Follow Up to Administrator's Request for High Priority Infrastructure Projects at Staff Meeting

Acting Regional Administrators:

Administrator Pruitt has requested that each of the Regions provide a list of 3-5 high priority/high visibility water infrastructure projects that that meet the following criteria:



- 1) The projects should be geographically diverse
- 2) The projects should satisfy important public health or environmental goals
- 3) The projects should be eligible for funding through the DWSRF, CWSRF or through the new WIFIA program

By COB tomorrow, Tuesday, February 28, please provide the following information for each of the 3-5 projects:

- 1) Overview and short description of the project, including the city and town where the project is located
- 2) Approximate cost of the project and time frame for project completion
- 3) Readiness of project for funding
- 4) A short description of the public benefits of the project
- 5) A summary of stakeholders that have publicly supported the project
- 6) Whether the project would most likely be funded by the DWSRF, CWSRF or WIFIA program

I suggest that the latest intended use plans for the state DWSRF and CWSRF programs could be a good source of information for quickly identifying suitable projects.

I have also attached a list developed by ECOS earlier this year of potential shovel-ready water infrastructure projects in many states that may prove useful for fulfilling this request.

The attached project matrix provides a suitable format for summarizing the information for each project. Please send your list to me with a cc to Peter Grevatt and Andrew Sawyers.

Please contact me, Andrew Sawyers in the Office of Wastewater Management or Anita Thompkins in the Office of Ground Water and Drinking Water if you have any questions regarding this request.

Thanks for your help.

Mike

Michael Shapiro

Acting Assistant Administrator, Office of Water

US EPA, 4101M

1200 Pennsylvania Ave., NW

Washington, DC 20460

Ex. 6 - Personal Privacy

<shovel ready projects 2017 (003).docx>

<Project Matrix.docx>

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**Cc:** Brown, Byron[brown.byron@epa.gov]; Schwab, Justin[schwab.justin@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov]; Reeder, John[Reeder.John@epa.gov]; Cozad, David[Cozad.David@epa.gov]  
**From:** Starfield, Lawrence  
**Sent:** Wed 3/22/2017 10:05:00 PM  
**Subject:** Daily enforcement report  
OECA Daily Report carry-over items 3 22 17.docx

Ryan,

We do not have any additional case filings to flag today. However, there are several items (set out below) that need a decision in the coming days. More detail is provided on the attached list of items awaiting clearance.

If you need any additional information, let us know.

Larry

United States v. VW – On March 24, DOJ intends to file a motion seeking court approval of the second of three partial settlements with VW. This second settlement resolves allegations that Volkswagen equipped approximately 80,000 three-liter light-duty diesel vehicles with defeat devices.

**Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process**

Maxus Energy Bankruptcy –

**Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process**

U.S. and State of Colorado vs. Colorado Springs –

**Ex. 5 - Deliberative Process, Ex. 7(A)**

**Ex. 5 - Deliberative Process, Ex. 7(A)**

US v. Luminant –

**Ex. 5 - Deliberative Process, Ex. 7(A)**

**Ex. 5 - Deliberative Process, Ex. 7(A)**

Larry Starfield  
Principal Deputy Assistant Administrator  
Office of Enforcement and Compliance Assurance  
U.S. EPA  
Washington, DC

(202) 564-8179 (direct)  
(202) 505-0961 (cell)

This message is CONFIDENTIAL, and may contain legally privileged information. If you are not the intended recipient, or believe you received this communication in error, please delete it immediately, do not copy, and notify the sender. Thank you.

OECA Daily Reports - Carry-over items awaiting clearance

From 3/21/17 daily report

United States v. S.H. Bell – S.H. Bell processes and stores manganese, a material whose air emissions cause or contribute to long term negative health effects, including impaired motor skills and reduced cognitive functions. After monitoring and investigation showed that the company was a primary source of such emissions in Ohio and Pennsylvania, the company agreed to monitor and control its emissions in a compliance agreement (CD) that was lodged in federal court on January 18, 2017. The agreement is based on the “imminent and substantial endangerment” provisions in the CAA and CERCLA. The public comment period on that agreement has closed. Comments have been received from two citizens requesting that the company be shut down until it reduces its emissions, and from representatives of the manganese industry disputing the health effects finding. DOJ has prepared a response to comments and request that the compliance agreement be entered, referring to health studies by the CDC’s Agency of Toxic Substance and Disease Registry of the adverse health effects due to manganese exposure in the surrounding community. The states of OH and PA and the respective mayors have been kept informed and have not expressed any objections or concerns. The court has ordered the U.S. to either file a motion to enter the agreement or withdraw it by March 30, 2017. **Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process**

U.S. and State of Colorado vs. Colorado Springs –

**Ex. 5 - Deliberative Process, Ex. 7(A)**

## **Ex. 5 - Deliberative Process, Ex. 7(A)**

From 3/20/17 daily report

United States v. VW – By the end of this week, DOJ intends to file a motion seeking court approval of the second of three partial settlements with VW. This second settlement resolves allegations that Volkswagen equipped approximately 80,000 three-liter light-duty diesel vehicles with defeat devices. This agreement includes a multi-faceted recall for vehicles (including buyback for some and technical fixes). The settlement also secures \$225 million in additional funding for the Mitigation Trust established under the first partial settlement (already approved by the Court), which provides money directly to states, DC, Puerto Rico, and tribes to fund clean air projects of their choice. The comment period has closed on the settlement, and DOJ has received comments from some owners who are not satisfied with the buyback provisions that were negotiated with the FTC and the class action representatives, and some comments about the zero-emission vehicle (ZEV) provisions in the first partial settlement. (Note: There are no ZEV provisions in this second settlement.) DOJ intends to file a Motion to Enter the settlement on March 24, 2017. Enforcement of the mobile source provisions of the CAA is not delegated to the states.

Maxus Energy Bankruptcy – Maxus is a Potentially Responsible Party at the Diamond Alkali Superfund Site in New Jersey, which includes a 17-mile stretch of the Passaic River and portions of Newark Bay contaminated by dioxin, PCBs, mercury, DDT and other contaminants. Maxus is going through Chapter 11 bankruptcy, and the United States has large claims in the bankruptcy in light of expected future cleanup costs of over \$1 billion. Maxus is seeking bankruptcy court approval of a \$130 million settlement that Maxus negotiated with its parent company YPF, SA (a corporation controlled by the Argentine government), to resolve claims that the parent company had improperly stripped its subsidiary of funds and controlled its decision making. The United States and other PRPs at the Site believe that Maxus’ proposal falls far short of what the parent company’s liability should be. Another large PRP at the Site, OCC Occidental Chemical Corporation, who also has very large claims against Maxus and has been cooperating with the government on the cleanup, is seeking United States’ support for an alternative bankruptcy plan to be filed on or about March 27. Under this alternative plan, Occidental would be assigned and pursue the parent liability claims against Maxus’ South American parent company, which we believe is likely to result in a larger bankruptcy estate with substantially greater funds available for cleanup at the Site. Occidental has made EPA aware of a November 2016 request from Argentina to the Commerce Department seeking reinstatement of “unilateral trade preference” for Argentina, which Occidental opposes in a March 2, 2017 letter to the Commerce Department highlighting the actions of YPF, SA to strip Maxus of funds and abandon environmental liabilities in the U.S.

**Ex. 5 - Deliberative Process**

## **Ex. 5 - Deliberative Process**

From 3/17/17 daily report

The Toa Alta Municipal Solid Waste Landfill in Puerto Rico is posing significant risks to public health and the environment. The liner and leachate controls have been abandoned and damaged, and large volumes of uncontrolled contaminated leachate and storm water are being released. The landfill, which is already filled to capacity, is located over an important drinking water aquifer and is in close proximity to residences. During the week of March 20, Region 2 plans to issue a unilateral administrative order under RCRA §7003 (an “imminent and substantial endangerment” provision) to the municipality and several companies that presently or formerly operated the landfill, requiring: certain urgent improvements to operations at the landfill; the prompt evaluation and repair, if possible, of the leachate control system; the permanent cessation of waste receipt at the landfill by a specified date, followed by the application of an intermediate cover; and steps to minimize the landfill serving as a breeding ground for mosquitoes carrying the Zika virus (a significant health threat on the island). No penalty is being sought.

Region 2 has previously taken enforcement actions to abate threats at twelve other landfills in Puerto Rico.

**Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process**

OECA and Region 2

briefed Justin Schwab on this matter on February 15, 2017. This is a time-sensitive matter, given the overflows from the landfill. If possible, we’d request a response by early next week.

From 3/16/17 daily report:

Westward Seafoods - Westward Seafoods operates a seafood processing facility in Dutch Harbor, Alaska that violated the Clean Air Act by operating for two years without using required air pollution controls, resulting in illegal emissions of 105 tons of NOx. The company has a history of serious noncompliance and was the subject of a prior EPA enforcement action. EPA and the State of Alaska, as co-plaintiffs, have negotiated a compliance agreement to resolve the current violations. The agreement requires Westward to correct the violations, install a new monitoring system, and retain an independent third party to verify its compliance. Westward will also implement two energy efficiency environmental mitigation projects at its facility, to offset the illegal NOx emissions, and pay a \$1.3M penalty. DOJ plans to lodge the agreement in federal district court during the week of March 20. We briefed Justin on this case in February, and will review the case with him early next week.

From 3/15/17 daily report:

US v. Luminant -

**Ex. 5 - Deliberative Process, Ex. 7(A)**

**Ex. 5 - Deliberative Process, Ex. 7(A)**

From 3/14/17 daily report:

Clean Air Act Section 114 information requests -

**Ex. 5 - Deliberative Process, Ex. 7(A)**

**Ex. 5 - Deliberative Process, Ex. 7(A)**

From 3/13/17 daily report:

U.S. v. Harley Davidson - Harley Davidson sold over 340,000 devises that illegally increased emissions from motor cycles and 12,000 motor cycles that were not properly certified under the Clean Air Act,

resulting in significant emissions of hydrocarbons and NOx. This week, DOJ would like to file a Motion to Enter the compliance agreement in which Harley agreed to pay a penalty of \$12M for these violations. Harley also agreed to mitigate the effects of its violations through funding the replacement of wood stoves with cleaner appliances, valued at \$3M. Cong. Jason Chaffetz raised a question about the wood stoves project,

**Ex. 5 - Deliberative Process**

Enforcement of the mobile source provisions of the Clean Air Act is not delegated to the states. [Note: DOJ is contacting GAO as to their plans, and will recommend a path forward after hearing back.]

US v. Nevada Cement - Nevada Cement violated the CAA when it made major modifications to its plant, resulting in significant increased emissions of NOx, without first obtaining a required permit and without installing necessary pollution control equipment. On March 15, 2017 DOJ intends to move to enter a compliance agreement in which Nevada Cement has agreed to install new air pollution control equipment that will reduce NOx emissions by approximately 1,140 tons per year, costing approximately \$2.5 million, and pay a penalty of \$550,000.

**Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process**



**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**Cc:** Brown, Byron[brown.byron@epa.gov]; Schwab, Justin[schwab.justin@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov]; Reeder, John[Reeder.John@epa.gov]; Cozad, David[Cozad.David@epa.gov]  
**From:** Starfield, Lawrence  
**Sent:** Wed 3/22/2017 10:01:51 PM  
**Subject:** Daily enforcement report  
OECA Daily Report carry-over items 3 22 17.docx

Jared,

We do not have any additional case filings to flag today. However, there are several items (set out below) that need a decision in the coming days. More detail is provided on the attached list of items awaiting clearance.

If you need any additional information, let us know.

Larry

United States v. VW – On March 24, DOJ intends to file a motion seeking court approval of the second of three partial settlements with VW. This second settlement resolves allegations that Volkswagen equipped approximately 80,000 three-liter light-duty diesel vehicles with defeat devices.

**Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process**

Maxus Energy Bankruptcy –

**Ex. 5 - Deliberative Process**

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U.S. and State of Colorado vs. Colorado Springs –

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**Ex. 5 - Deliberative Process, Ex. 7(A)**

US v. Luminant –

**Ex. 5 - Deliberative Process, Ex. 7(A)**

**Ex. 5 - Deliberative Process, Ex. 7(A)**

Larry Starfield  
Principal Deputy Assistant Administrator  
Office of Enforcement and Compliance Assurance  
U.S. EPA  
Washington, DC

(202) 564-8179 (direct)  
(202) 505-0961 (cell)

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**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**Cc:** Schwab, Justin[schwab.justin@epa.gov]; Brown, Byron[brown.byron@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov]; Reeder, John[Reeder.John@epa.gov]; Cozad, David[Cozad.David@epa.gov]  
**From:** Starfield, Lawrence  
**Sent:** Wed 3/15/2017 9:31:25 PM  
**Subject:** Daily enforcement report  
OECA Daily Report carry-over items.docx

Ryan,

Here is today's daily enforcement report. In addition, I'm attaching items from previous days' reports that still require clearance. Please let us know if you need further information on any items.

New Items needing clearance:

-

US v. Luminant –

**Ex. 5 - Deliberative Process, Ex. 7(A)**

**Ex. 5 - Deliberative Process, Ex. 7(A)**

US v. Detroit Edison – In 2010, the United States filed a complaint against Detroit Edison (DTE) for violations of the Clean Air Act's NSR/PSD requirements, when it performed a \$65 million

renovation project at the Monroe Power Plant in Detroit, Michigan without first obtaining the necessary permit and installing SO<sub>2</sub> and NO<sub>x</sub> best available control technology (BACT), resulting in ~100,000 tons of excess emissions. In 2011, the district court granted summary judgment for DTE and the US appealed that decision. On appeal, the Sixth Circuit reversed and remanded the case back to the district court (*DTE I*). On remand, the district court again granted DTE summary judgment. On the second appeal by the US, the Sixth Circuit reversed and remanded in a plurality opinion (*DTE II*), finding that EPA may bring an enforcement action based on a challenge to the company's pre-construction emissions projections. On February 24, 2017, DTE filed a petition for rehearing and rehearing en banc. The US response is due on April 3, and DOJ has asked for EPA's position on the petition by March 17, 2017.

Ex. 5 - Deliberative Process

## Ex. 5 - Deliberative Process

-

### Informational Item:

Peabody Bankruptcy - Peabody, a mining company going through Chapter 11 bankruptcy, is a responsible party at a number of Superfund sites in the Midwest due to its historic mining operations. On March 16, when the Peabody bankruptcy debtors present their proposed Chapter 11 plan of reorganization to the U.S. Bankruptcy Court, E.D. Missouri, it will include a stipulation providing \$19 to \$20 million to EPA to help perform cleanups at eight CERCLA sites where Peabody is a responsible party. The sites are mine waste sites in Illinois, Kansas, Missouri, and Oklahoma, where heavy metals contamination presents a threat to human health and the environment.

Larry Starfield  
Acting Assistant Administrator  
Office of Enforcement and Compliance Assurance  
(202) 564-8179 (direct)  
(202) 505-0961 (cell)

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## OECA Daily Reports - Carry-over items awaiting clearance

From 3/13/17 daily report:

U.S. v. Harley Davidson – Harley Davidson sold over 340,000 devices that illegally increased emissions from motor cycles and 12,000 motor cycles that were not properly certified under the Clean Air Act, resulting in significant emissions of hydrocarbons and NOx. This week, DOJ would like to file a Motion to Enter the compliance agreement in which Harley agreed to pay a penalty of \$12M for these violations. Harley also agreed to mitigate the effects of its violations through funding the replacement of wood stoves with cleaner appliances, valued at \$3M. Cong. Jason Chaffetz raised a question about the wood stoves project,

**Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process**

Enforcement of the mobile source provisions of the Clean Air Act is not delegated to the states.

US v. Nevada Cement - Nevada Cement violated the CAA when it made major modifications to its plant, resulting in significant increased emissions of NOx, without first obtaining a required permit and without installing necessary pollution control equipment. On March 15, 2017 DOJ will move to enter a compliance agreement in which Nevada Cement has agreed to install new air pollution control equipment that will reduce NOx emissions by approximately 1,140 tons per year, costing approximately \$2.5 million, and pay a penalty of \$550,000.

**Ex. 5 - Deliberative Process**

## **Ex. 5 - Deliberative Process**

From 3/14/17 daily report:

Nooksack Indian Tribe – Serious, health-threatening violations of the Safe Drinking Water Act are on-going at six public waters systems operated by the Nooksack Indian Tribe in WA State.

**Ex. 5 - Deliberative Process**

## **Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process** | EPA has direct enforcement responsibility on tribal land.

Clean Air Act Section 114 information requests –

**Ex. 5 - Deliberative Process, Ex. 7(A)**

## **Ex. 5 - Deliberative Process, Ex. 7(A)**

Callahan Mine Superfund Site, Brooksville, Maine – This CERCLA site is a 200-acre abandoned metals mine with PCB contamination and acid generating waste rock, where EPA is implementing a capping remedy to clean up the site. To help implement this remedy, DOJ/EPA and the State of Maine plan to file by March 17 with the US District Court in Maine a motion to enter a compliance agreement. As part of the agreement, Smith Cove – a non-profit Maine corporation landowner – will permit EPA to use soil and other material located on Smith Cove's property, which will limit the need to bring material from offsite, eliminate thousands of trips of heavy truck traffic on local roads, and reduce the cost of the remedy.

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Reeder, John  
**Sent:** Thur 5/18/2017 11:59:36 AM  
**Subject:** Re: Time and Attendance issue

**Ex. 5 - Deliberative Process**

Sent from my iPhone

On May 18, 2017, at 6:42 AM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

Who's the time keeper? And to whom are these forms submitted and where do you get them?

Ryan Jackson  
Chief of Staff  
U.S. EPA

**Ex. 6 - Personal Privacy**

On May 17, 2017, at 6:56 PM, Reeder, John <Reeder.John@epa.gov> wrote:

Ryan,

Does this do it?

Reggie, see any issues?

JR

+++++

Team,

We all share in the honor of serving as an appointee in the Trump administration, and that means you often work hours beyond the normal work day. Of course your high level of service is appreciated. Some of you have asked whether appointees are entitle to “compensatory” (or “comp time”) for

these extra hours.

## **Ex. 5 - Deliberative Process**

# **Ex. 5 - Deliberative Process**

Thank you

Ryan

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**Cc:** Allen, Reginald[Allen.Reginald@epa.gov]  
**From:** Reeder, John  
**Sent:** Wed 5/17/2017 10:56:17 PM  
**Subject:** Time and Attendance issue

Ryan,

Does this do it?

Reggie, see any issues?

JR

+++++

Team,

We all share in the honor of serving as an appointee in the Trump administration, and that means you often work hours beyond the normal work day. Of course your high level of service is appreciated. Some of you have asked whether appointees are entitle to “compensatory” (or “comp time”) for these extra hours. While I’m open to providing

## Ex. 5 - Deliberative Process

Thank you



Ryan

**To:** Dravis, Samantha[dravis.samantha@epa.gov]  
**Cc:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Reeder, John  
**Sent:** Tue 4/18/2017 2:22:00 PM  
**Subject:** RE: American flag

Samantha,

I don't know what's up, but asked Donna Vizian and facilities office to report.

Thank you.

JR

**From:** Dravis, Samantha  
**Sent:** Tuesday, April 18, 2017 8:39 AM  
**To:** Reeder, John <Reeder.John@epa.gov>  
**Cc:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** American flag

The American flag is not flying outside the EPA building, it looks like it either got taken down or fell down? It's just the EPA flag. Can you please find out who can fix this?

Thanks

**To:** Moody, Christina[Moody.Christina@epa.gov]  
**Cc:** Richardson, RobinH[Richardson.RobinH@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Reeder, John  
**Sent:** Tue 4/18/2017 2:18:00 PM  
**Subject:** RE: Fellow for Senator Cardin

Please hold on contacting anyone. I have someone who was working on other candidates and any other communications are likely to confuse people.

I will circle back shortly.

Thank you.  
JReeder  
564 6082

-----Original Message-----

From: Moody, Christina  
Sent: Tuesday, April 18, 2017 10:15 AM  
To: Reeder, John <Reeder.John@epa.gov>  
Cc: Richardson, RobinH <Richardson.RobinH@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>  
Subject: RE: Fellow for Senator Cardin

John,

## Ex. 5 - Deliberative Process

Thanks!

Christina J. Moody  
US Environmental Protection Agency  
Moody.Christina@epa.gov

-----Original Message-----

From: Moody, Christina  
Sent: Monday, April 17, 2017 3:17 PM  
To: Reeder, John <Reeder.John@epa.gov>  
Cc: Richardson, RobinH <Richardson.RobinH@epa.gov>  
Subject: Re: Fellow for Senator Cardin

Sent her the resume on Friday for her to preview with their COS. I will follow up when I'm in tomorrow. I've not heard back from her as of yet.

Christina J Moody  
US Environmental Protection Agency  
Moody.Christina@epa.gov

> On Apr 17, 2017, at 3:07 PM, Reeder, John <Reeder.John@epa.gov> wrote:  
>  
> What happen? Any response?  
>  
>

>  
> -----Original Message-----  
> From: Moody, Christina  
> Sent: Friday, April 14, 2017 11:50 AM  
> To: mae\_stevens@cardin.senate.gov  
> Cc: Williams, Thea <Williams.Thea@epa.gov>  
> Subject: Fellow for Senator Cardin  
>  
> Hello Mae,  
>  
> I'm reaching out to you because I was made aware that you'd encountered some difficulty in securing an EPA staffer for a detail in your office. I have a PMF fellow who is interested in working for Senator Cardin and I'd like to send you his resume to gauge your interest. However, prior to doing so, please let me know the specifics of what your boss is expecting so that we are all on the same page, such as start date, as well as the amount of time you are looking for the candidate to work in your office.  
>  
> In the future, should you require assistance on personnel, staff details, or other workforce related matters, please contact me directly, as I work in EPA's Congressional Affairs Office and am the POC for such issues.  
>  
> I'm looking forward to hearing from you. Although email is the quickest, I can be reached directly on 202.564.0260.  
>  
> Kind Regards,  
>  
> Christina J. Moody  
> US Environmental Protection Agency  
> Moody.Christina@epa.gov  
>

**To:** Jackson, Ryan[jackson.ryan@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov]; Brown, Byron[brown.byron@epa.gov]  
**From:** Reeder, John  
**Sent:** Mon 5/15/2017 1:31:22 PM  
**Subject:** RE: SROs

I was in a meeting, but here's a little more on your SRO question. Ultimately the COS has control of AO's internal budget. I have generally managed it, and we'd periodically update the COS, or go to him with tough questions. Every year I ran a planning process whereby each office outlines their planned expenditures, and we'd work it thru the COS. Individual offices were given the "go ahead" to execute their budget, and if there were any significant changes we'd check back with the COS. In the current FY

## Ex. 5 - Deliberative Process

Let me know if you want to discuss.

JReeder  
564 6082

-----Original Message-----

From: Jackson, Ryan  
Sent: Monday, May 15, 2017 6:28 AM  
To: Flynn, Mike <Flynn.Mike@epa.gov>; Reeder, John <Reeder.John@epa.gov>; Brown, Byron <brown.byron@epa.gov>  
Subject: SROs

Was Matt Frtiz the SRO for OA?

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 - Personal Privacy

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**Cc:** Flynn, Mike[Flynn.Mike@epa.gov]; Brown, Byron[brown.byron@epa.gov]  
**From:** Reeder, John  
**Sent:** Mon 5/15/2017 12:37:16 PM  
**Subject:** Re: SROs

I was/am, under current delegation

Sent from my iPhone

> On May 15, 2017, at 6:27 AM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

>

> Was Matt Frtiz the SRO for OA?

>

> Ryan Jackson

> Chief of Staff

> U.S. EPA

Ex. 6 - Personal Privacy

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Reeder, John  
**Sent:** Tue 4/4/2017 3:47:39 PM  
**Subject:** Re: Middle TN RVP Waiver

## Ex. 5 - Deliberative Process

Sent from my iPhone

On Apr 4, 2017, at 11:37 AM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

## Ex. 5 - Deliberative Process

It was in a similar format to what's usually prepared just outside of the orange folder.

**From:** Reeder, John  
**Sent:** Tuesday, April 4, 2017 11:24 AM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** Re: Middle TN RVP Waiver

## Ex. 5 - Deliberative Process

Sent from my iPhone

On Apr 4, 2017, at 9:57 AM, Dravis, Samantha <dravis.samantha@epa.gov> wrote:

John,

We have a document that needs the Administrator's signature today for the Federal Register. This somehow got held up and we're in another situation where this needs to move rather quickly. It is a waiver for the RVP requirements for Middle

Tennessee. OP is preparing this to go up to OEX, but this is one that I would like to hand deliver to the Administrator and move forward as soon as I can catch him for signature.

All the necessary parties are aware and awaiting this – Ryan, Byron, Mandy Gunasekara, Brittany Bolen, etc.

Thanks in advance.

Samantha



**To:** Dravis, Samantha[dravis.samantha@epa.gov]  
**Cc:** Jackson, Ryan[jackson.ryan@epa.gov]; Bolen, Brittany[bolen.brittany@epa.gov]; Rees, Sarah[rees.sarah@epa.gov]; Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Knapp, Kristien[Knapp.Kristien@epa.gov]; Hope, Brian[Hope.Brian@epa.gov]  
**From:** Reeder, John  
**Sent:** Tue 4/4/2017 3:19:53 PM  
**Subject:** Re: Middle TN RVP Waiver

Thank you for the heads up.

I've taken the liberty of adding Brian (OEX) and Kristien Knapp (Special Assistant OAR) so everyone is coordinated in accomplishing this today.

Sent from my iPhone

On Apr 4, 2017, at 9:57 AM, Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)> wrote:

John,

We have a document that needs the Administrator's signature today for the Federal Register. This somehow got held up and we're in another situation where this needs to move rather quickly. It is a waiver for the RVP requirements for Middle Tennessee. OP is preparing this to go up to OEX, but this is one that I would like to hand deliver to the Administrator and move forward as soon as I can catch him for signature.

All the necessary parties are aware and awaiting this – Ryan, Byron, Mandy Gunasekara, Brittany Bolen, etc.

Thanks in advance.

Samantha

**To:** Knapp, Kristien[Knapp.Kristien@epa.gov]  
**Cc:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Reeder, John  
**Sent:** Tue 3/14/2017 9:37:16 PM  
**Subject:** Re: Event Request Form.docx

Thank you. Ryan if you want to discuss, I'm off my conf call and reachable on Ex. 6 - Personal Privacy

Sent from my iPhone

On Mar 14, 2017, at 5:26 PM, Knapp, Kristien <Knapp.Kristien@epa.gov> wrote:

Ryan – Attached is the speaker request form I showed you, with the extra fields.

**From:** Reeder, John  
**Sent:** Tuesday, March 14, 2017 3:43 PM  
**To:** Knapp, Kristien <Knapp.Kristien@epa.gov>  
**Cc:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** Fwd: Event Request Form.docx

Kristien can you take a look?. I think we wanted a generic form---same for events, meetings and briefings. So please check headings and fields and circle back to confirm with Ryan. Thank you much!

Sent from my iPhone

Begin forwarded message:

**From:** "Jackson, Ryan" <jackson.ryan@epa.gov>  
**Date:** March 14, 2017 at 1:53:51 PM EDT  
**To:** "Reeder, John" <Reeder.John@epa.gov>  
**Subject:** Event Request Form.docx

Should this be the meeting request form with the Administrator?

I do want to come full circle on these forms and procedure email.

Thanks.

<EPA Administrator Pruitt Speaker Request Form.docx>

**From:** Reeder, John  
**Location:** Room 3402 WJC North  
**Importance:** Normal  
**Subject:** Accepted: General Discussion with John Reeder  
**Start Date/Time:** Thur 5/11/2017 5:30:00 PM  
**End Date/Time:** Thur 5/11/2017 6:00:00 PM

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**Cc:** Flynn, Mike[Flynn.Mike@epa.gov]  
**From:** Reeder, John  
**Sent:** Mon 5/8/2017 1:39:03 PM  
**Subject:** Re: Your message

I mean Sammie "finalists", not winners

Sent from my iPhone

On May 8, 2017, at 9:37 AM, Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)> wrote:

With the mention of epa's Sammie winners...mike wants to be sure

Sent from my iPhone

On May 8, 2017, at 9:19 AM, Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)> wrote:

This has already been approved.

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 - Personal Privacy

On May 8, 2017, at 9:12 AM, Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)> wrote:

Ryan, saw that my 9:00 mtg with you is OFF...**the only really time-sensitive question is about this message to EPA from the Administrator.**

We just need a thumbs up and we can keep moving.

Thanks

JR

**From:** Flynn, Mike

**Sent:** Friday, May 05, 2017 7:27 PM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Cc:** Freire, JP <Freire.JP@epa.gov>; Reeder, John <Reeder.John@epa.gov>; Vizian, Donna <Vizian.Donna@epa.gov>; Hull, George <Hull.George@epa.gov>  
**Subject:** Draft Message from the Administrator

Hi Ryan,

Attached is a draft mass mailer/senior leader message from the Administrator on public service recognition week, including announcing our "Sammie" award finalists (which I understand Donna discussed with you this am).

Since the Sammie award finalists will be made public on Sunday (by the Partnership for Public Service), we should aim to get this out on Monday.

I think this looks good, but you or JP may have some comments/revisions.

Mike

Mike Flynn

Acting Deputy Administrator

U.S. Environmental Protection Agency

(202) 564-4711

Begin forwarded message:

**From:** "Sowell, Sarah" <Sowell.Sarah@epa.gov>  
**Date:** May 5, 2017 at 6:21:00 PM EDT  
**To:** "Flynn, Mike" <Flynn.Mike@epa.gov>, "Reeder, John" <Reeder.John@epa.gov>  
**Cc:** "Hull, George" <Hull.George@epa.gov>  
**Subject:** draft Senior Leadership Message with your comments incorporated

Mike and John,

Here you go – this draft reflects the comments we just discussed. Thanks so much for looking at this so quickly.

The final sentence now reads: *Also, take a moment to celebrate the accomplishments we achieve every day by thanking a coworker or other public servants for their service.*

Next step: Mike will discuss with Ryan.

Sarah

*Sarah N. Sowell, Director, Office of Internal Communications*

*Office of Public Affaris*

*U.S. Environmental Protection Agency / OPA/OIC  
William Jefferson Clinton Bldg/North, Room 2502-L / MC 1701-A  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460*

*Tel: 202-564-0145 // Cell: Ex. 6 - Personal Privacy*

<Clean Draft v.2 SLM - Public Service Recognition Week-Sammie  
Finalists\_050517 (002).docx>

**Cc:** Flynn, Mike[Flynn.Mike@epa.gov]  
**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Reeder, John  
**Sent:** Fri 3/3/2017 2:44:12 AM  
**Subject:** Another matter

Ryan,

This week Mike and I conspired to give guidance for a standard format for the weekly reports. You should take a look. I think they're much better and I hope closer to your expectation. Another item to discuss in the a.m..

John

Sent from my iPhone

> On Mar 2, 2017, at 7:30 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

>

> Can we meet in my office in the morning?

>

> Ryan Jackson

> Chief of Staff

> U.S. EPA

Ex. 6 - Personal Privacy



**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Reeder, John  
**Sent:** Mon 3/13/2017 5:23:19 PM  
**Subject:** Re: Do this?

## Ex. 5 - Deliberative Process

Sent from my iPhone

On Mar 13, 2017, at 1:21 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

## Ex. 5 - Deliberative Process

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 - Personal Privacy

On Mar 13, 2017, at 1:20 PM, Reeder, John <Reeder.John@epa.gov> wrote:

## Ex. 5 - Deliberative Process

Sent from my iPhone

On Mar 13, 2017, at 1:19 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

## Ex. 5 - Deliberative Process

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 - Personal Privacy

On Mar 13, 2017, at 1:17 PM, Reeder, John <Reeder.John@epa.gov> wrote:

## Ex. 5 - Deliberative Process

Sent from my iPhone  
Begin forwarded message:

**From:** "Minoli, Kevin" <Minoli.Kevin@epa.gov>

**Date:** March 13, 2017 at 12:55:20 PM EDT  
**To:** "Reeder, John" <Reeder.John@epa.gov>  
**Cc:** "Flynn, Mike" <Flynn.Mike@epa.gov>, "Jackson, Ryan" <jackson.ryan@epa.gov>, "Bloom, David" <Bloom.David@epa.gov>  
**Subject:** Re: HOLD the thought

## Ex. 5 - Deliberative Process

Kevin S. Minoli  
Acting General Counsel  
Office of General Counsel  
US Environmental Protection Agency  
Office Line: 202-564-8040  
Direct Dial: 202-564-5551

---

**From:** Reeder, John  
**Sent:** Monday, March 13, 2017 12:50 PM  
**To:** Minoli, Kevin  
**Cc:** Flynn, Mike; Jackson, Ryan; Bloom, David  
**Subject:** HOLD the thought

## Ex. 5 - Deliberative Process

-----Original Message-----

From: Reeder, John  
Sent: Monday, March 13, 2017 12:44 PM  
To: Minoli, Kevin <Minoli.Kevin@epa.gov>  
Cc: Flynn, Mike <Flynn.Mike@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>  
Subject: RE: Do you know if folks plan to introduce Justin as a new Dep GC at

the 1:00?

Kevin, it sounds right to me that you would introduce Justin.

But cc'ing Mike and Ryan. Mike may open the meeting, and of course Ryan can seize the moment and introduce Justin if he chooses.

Thank you.

-----Original Message-----

From: Minoli, Kevin

Sent: Monday, March 13, 2017 12:37 PM

To: Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)>

Subject: Do you know if folks plan to introduce Justin as a new Dep GC at the 1:00?

Kevin S. Minoli  
Acting General Counsel  
Office of General Counsel  
US Environmental Protection Agency  
Main Office Line: 202-564-8040

**From:** Reeder, John  
**Location:** Room 3402 WJC-North  
**Importance:** Normal  
**Subject:** Accepted: General Discussion with John Reeder  
**Start Date/Time:** Mon 5/8/2017 1:00:00 PM  
**End Date/Time:** Mon 5/8/2017 1:30:00 PM

**From:** Reeder, John  
**Location:** Room 3402 WJC-North  
**Importance:** Normal  
**Subject:** Accepted: General Discussion with John Reeder  
**Start Date/Time:** Fri 5/5/2017 5:30:00 PM  
**End Date/Time:** Fri 5/5/2017 6:00:00 PM

**To:** Jackson, Ryan[jackson.ryan@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov]  
**From:** Reeder, John  
**Sent:** Wed 5/3/2017 6:23:32 PM  
**Subject:** RE: VIPs in the Mellon Auditorium on May 3

Vice Pres. Just got it.

**From:** Jackson, Ryan  
**Sent:** Wednesday, May 03, 2017 11:48 AM  
**To:** Reeder, John <Reeder.John@epa.gov>; Flynn, Mike <Flynn.Mike@epa.gov>  
**Subject:** RE: VIPs in the Mellon Auditorium on May 3

I don't know. I'd like to know.

**From:** Reeder, John  
**Sent:** Wednesday, May 3, 2017 8:47 AM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Flynn, Mike <Flynn.Mike@epa.gov>  
**Subject:** Fwd: VIPs in the Mellon Auditorium on May 3

Do we know who this is? I don't care but aware of Ryan's "no surprise" rule. I can look for more if you deem needed.

Sent from my iPhone

Begin forwarded message:

**From:** HQ\_Security\_Updates <HQ\_Security\_Updates@epa.gov>  
**Date:** May 3, 2017 at 7:54:33 AM EDT  
**To:** All HQ Employees <All\_HQ\_Employees@epa.gov>  
**Subject:** VIPs in the Mellon Auditorium on May 3

EPA Security has been notified by the Federal Protective Service (FPS) that there will be VIPs in the Mellon Auditorium on today, May 3<sup>rd</sup>, 2017. Therefore, the employee entrance in the WJC- East building (under the archway) will closed.

Please send questions to [OARM-OA-HQ-OB@epa.gov](mailto:OARM-OA-HQ-OB@epa.gov). Thank you.

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Reeder, John  
**Sent:** Mon 3/13/2017 3:38:58 PM  
**Subject:** RE: RMP notice is heading yoiur way

Samantha took it from them.

**From:** Jackson, Ryan  
**Sent:** Monday, March 13, 2017 11:14 AM  
**To:** Reeder, John <Reeder.John@epa.gov>  
**Subject:** Re: RMP notice is heading yoiur way

Ex. 6 - Personal Privacy Have them bring to the 1pm.

Ryan Jackson

Chief of Staff

U.S. EPA

Ex. 6 - Personal Privacy

On Mar 13, 2017, at 10:40 AM, Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)> wrote:

Samantha says you're expecting this package for Pruitt to sign.

Kristien and Silvina (new 3<sup>rd</sup> floor special) are coming to your office

JReeder

202 564 6082 (direct)



**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Reeder, John  
**Sent:** Mon 3/13/2017 3:32:50 PM  
**Subject:** RE: RMP notice is heading yoiur way

check

**From:** Jackson, Ryan  
**Sent:** Monday, March 13, 2017 11:14 AM  
**To:** Reeder, John <Reeder.John@epa.gov>  
**Subject:** Re: RMP notice is heading yoiur way

Ex. 6 - Personal Privacy Have them bring to the 1pm.

Ryan Jackson

Chief of Staff

U.S. EPA

Ex. 6 - Personal Privacy

On Mar 13, 2017, at 10:40 AM, Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)> wrote:

Samantha says you're expecting this package for Pruitt to sign.

Kristien and Silvina (new 3<sup>rd</sup> floor special) are coming to your office

JReeder

202 564 6082 (direct)

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**Cc:** Willis, Sharnett[Willis.Sharnett@epa.gov]; Randall, Brenda[Randall.Brenda@epa.gov]  
**From:** Reeder, John  
**Sent:** Wed 4/12/2017 1:37:30 PM  
**Subject:** Parking Forms  
[EPA RRB PARKING FORM.pdf](#)  
[RRB Monthly Parking Application.xlsx](#)

Ryan,

Here are the forms for parking. I've cc'd Sharnett in case you need assistance.

## **Ex. 5 - Deliberative Process; Ex. 2**

These forms need to be returned to Brenda Randall (info below).

JReeder

202 564 6082 (direct)

RETURN FORMS TO:

**Brenda R. Randall**

**Facilities Management & Services Division**


**Headquarters Services Branch**

**(Office) 202-564-4518**

U.S. Environmental Protection Agency <b>PARKING PERMIT APPLICATION</b> (Read instructions before completing form)				TYPE OF REQUEST (Check One) <input type="checkbox"/> NEW <input type="checkbox"/> RECERTIFICATION <input type="checkbox"/> REVISION/CHANGE	REQUEST PARKING FOR (Check One) <input type="checkbox"/> REAGAN BLDG	REQUEST FOR PARKING SPACE (Check One) <input type="checkbox"/> HANDICAPPED <input type="checkbox"/> CARPOOL <input type="checkbox"/> UNUSUAL HOURS (Requires DAA signature/approval) <input type="checkbox"/> MOTORCYCLE	FOR EPA USE ONLY PERMIT NO. ACCOUNT NUMBER	
<b>INSTRUCTIONS</b> - Type requested information. Complete each applicable block. If carpool has more than 4 members, attach additional form(s). For make of car, use: Ford, Chevrolet, Plymouth, Toyota, Volkswagen, etc., not model name. Return the original to the Transportation and Parking Management Staff (Mail Code 3204R). By signing this form, employee certifies that he is a regular driver/rider in the carpool described below. The Principal EPA driver/rider agrees to keep the application current by reporting changes as they occur. FALSIFICATION OF INFORMATION WILL RESULT IN SUSPENSION OF PARKING PRIVILEGES.								
<b>EPA PRINCIPAL MEMBER</b> (must be a Federal employee)		NAME (Last, First, MI)		SIGNATURE		DATE SIGNED		
1		HOME ADDRESS (Street, City, State, Zip Code)		EMPLOYER'S NAME, ADDRESS (Street, City, State)		ZIP CODE		
Federal Employee ID: (PeoplePlus ID)								
AA Ship		NORMAL WORKING HOURS FROM _____ TO _____		EPA MAIL CODE		E-MAIL ADDRESS		
DRIVER/RIDER CODE*		CAR #1 MAKE & MODEL		STATE		CAR #2 MAKE & MODEL		TAG NUMBER
MEMBER		NAME (Last, First, MI)		SIGNATURE		DATE SIGNED		
2		HOME ADDRESS (Street, City, State, Zip Code)		EMPLOYER'S NAME, ADDRESS (Street, City, State)		ZIP CODE		
Federal Employee ID:								
AA Ship		NORMAL WORKING HOURS FROM _____ TO _____		EPA MAIL CODE		E-MAIL ADDRESS		
DRIVER/RIDER CODE*		CAR #1 MAKE & MODEL		STATE		CAR #2 MAKE & MODEL		TAG NUMBER
MEMBER		NAME (Last, First, MI)		SIGNATURE		DATE SIGNED		
3		HOME ADDRESS (Street, City, State, Zip Code)		EMPLOYER'S NAME, ADDRESS (Street, City, State)		ZIP CODE		
Federal Employee ID:								
AA Ship		NORMAL WORKING HOURS FROM _____ TO _____		EPA MAIL CODE		E-MAIL ADDRESS		
DRIVER/RIDER CODE*		CAR #1 MAKE & MODEL		STATE		CAR #2 MAKE & MODEL		TAG NUMBER

\*Driver/Rider Codes: 1-EPA Employee; 2-Non-EPA Employee; 3-School Age Child; 4-Triangle Tot Enrollee

EPA Form 5160-1 (Rev. 2-15) Previous editions are obsolete.

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
1	 <b>RONALD REAGAN BUILDING AND INTERNATIONAL TRADE CENTER</b> <div style="float: right;"> <b>Monthly Parking Application</b>  <small>Edition 10/15</small> </div>														
2															
3															
4															
5	Name:					Agency/Company:									
6	E-mail Address (Required for billing):														
7	Work Address:					City:		State:		Zip Code:					
8	Home Address:					City:		State:		Zip Code:					
9	Phone: (Home):					(Business):		(Cell):							
10	Driver's License Number:					State:									
11	(Proof of driver's license required when submitting application)														
12	Emergency Contact Name:					Phone:									
13	Vehicle: Make:		Model:		Year:		Color:		License Plate #:			State:			
14	Vehicle: Make:		Model:		Year:		Color:		License Plate #:			State:			
15	Monthly Parking Rate:		Unreserved Space: \$319.00/\$349.00					Reserved Space:\$638.00/\$698.00							
16	<small>(Includes DC Parking Tax)</small>		<small>Tenant / Non-tenant</small>					<small>Tenant / Non-tenant</small>							
17	Please make all checks payable to: <b>RRB/ITC Parking.</b>														
19	<p>Upon acceptance of this application, you will be issued a permanent hangtag, which must be displayed in the vehicle at all times while parked in the garage. If you change your registered vehicle, please provide updated information to parking customer service. Your RRB/ITC Agency building ID will be used to raise the parking gates at the cashier booths on the B-1 level of the garage. If you do not have a building ID, one will be issued to you for parking access.</p>														
21	<p>Parking fees are payable in advance by the 1st day of each month and are subject to change. If you park mid-month, the first month's fee is prorated. No credit can be given for vacations, government restrictions or other periods when your vehicle is not in the garage. If your account is delinquent, your vehicle access maybe locked or your vehicle maybe removed for towing (at your expense and risk) until payment in full is received. The returned check fee is \$35.00. Interest at the maximum legal rate, along with costs and attorneys' fees, may be applied to overdue accounts. Your submission of this application constitutes your agreement to indemnify the RRB/ITC Parking and TCMA with respect to any and all damage to property or injury to persons that you cause by violating applicable garage rules and regulations. If payment is not received by the 5th of the month, your access will be locked out/in. You will be required to pay the full daily rate until your monthly payment is received. Any payments made will not be reimbursed. If the parking fee is not received by the 15th of the month the parking account may be cancelled.</p>														
22	By completing and signing this application, you are consenting to RRB Parking using the information to manage your account, contact you, and if necessary														
23	disclose your personal information to a collection agency.														
25	<p>You may cancel your monthly parking privileges as of the end of any month upon at least 30 days prior written notice. Cancellations will not be prorated. We reserve the right to cancel at any time, though we will endeavor to give you at least 30 days prior written notice except in the cases of (i) circumstances beyond our control, or (ii) your violation of applicable garage rules and regulations (if we terminate prior to the end of the month, the prepaid monthly fee will be prorated and the unused portion will be refunded).</p>														
27	When you self-park, understand that payment of the applicable parking fee grants a license to park only, and that no bailment of any kind is intended or created.														
29	<p>We take reasonable precautions to protect your car while it is in the garage. If you believe damage occurred to your car while in the garage, you <u>must</u> show the damage to one of the attendants and fill out a "Damage Report" <u>before</u> leaving the garage. The customer releases RRB/ITC Parking and TCMA from liability or responsibility in connection with any damage or loss not reported. Should we approve repairs to your car, we reserve the right to require that estimates be obtained before repair work is begun, and we will pay the amount of the lowest estimate.</p>														
31	<p>We cannot be responsible for: (i) loss of items or valuables left in your car (please do not leave the trunk key in your car, please also understand that our employees are not authorized to accept responsibility for, or to store, any items for you; (ii) non-standard equipment (e.g., special wheels, wire wheel covers, cellular car (or other portable) phones, CB radios, antennas and/or stereos); (iii) mechanical damage or failure resulting from garage services provided at no cost to you (e.g.) battery charging, tire inflation); or (iv) any liability for damage to vehicles parked or retrieved by anyone other than one of our employees. Also, because nicks and dings can happen anywhere and remain unnoticed for lengthy periods, we cannot be responsible for such.</p>														
33	By signing this application, you agree to comply with the terms and conditions of this agreement and confirm receipt of the parking information packet. All information provided on this application is subject to verification. Providing false or misleading information will result in your application being denied or revoked. All vehicles and personnel entering the building are required to comply with the requirements of Title 41, Code of Federal Regulations.														
34															
35	Applicant's Signature:										Date:				
36	For Office Use Only:														
37	Effective Date:		Rate:		Employer Verification:					Driver's License Verification:					
38	Account No:		Hangtag No:		Telephone # Verification:					Payment by EFT: [ ] yes [ ] no					
39															
40	<b>1300 Pennsylvania Avenue, NW, Mail Box 256, Washington, DC 20004</b>														

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
41	Office: (202)312-1317 ; (202)312-1295 Fax: (202)312-1293														

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Reeder, John  
**Sent:** Tue 5/2/2017 11:30:51 PM  
**Subject:** Re: Public Service Recognition Week

I know thanks

Sent from my iPhone

On May 2, 2017, at 7:04 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

Done

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 - Personal Privacy

On May 2, 2017, at 9:26 AM, Reeder, John <Reeder.John@epa.gov> wrote:

Ryan,

Good morning.

Please can you send a reply to this note to Brian Hope, Silvina and me so that Mr. Pruitt can be an honorary co-chair with other cabinet officials? They will provide his signature to the Partnership for Public Service.

I believe Donna and/or Mike spoke with you about this last week.

FYI – Silvina will work with the Partnership to fix his signature to read **E. Scott Pruitt** – they forgot the “E.” on the attached draft.

Thank you.

JReeder

564 6082

<PSRW2017 co-chair letter for signature.pdf>

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Reeder, John  
**Sent:** Tue 5/2/2017 7:21:10 PM  
**Subject:** Public Service Recognition Week  
[PSRW2017 co-chair letter for signature.pdf](#)

There's no additional obligation. They just want to place the signature on an announcement with all the other cabinet level co-chairs...basically an open letter-style communication from the co-chairs. It's shows high level commitment.

You can view the attachment





**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Reeder, John  
**Sent:** Mon 3/27/2017 4:21:45 PM  
**Subject:** RE: It's been a pleasure

Ryan,

Ex. 5 - Deliberative Process

**Ex. 5 - Deliberative Process; Ex. 6**

Ex. 5 - Deliberative Process; Ex. 6

## **Ex. 5 - Deliberative Process**

JReeder

564 6082

**From:** Jackson, Ryan  
**Sent:** Monday, March 27, 2017 12:15 PM  
**To:** Reeder, John <Reeder.John@epa.gov>  
**Subject:** FW: It's been a pleasure

Is Cardin's office still expecting a detail or fellow? Can you give me an update on this?

**From:** Stevens, Mae (Cardin) [[mailto:Mae\\_Stevens@cardin.senate.gov](mailto:Mae_Stevens@cardin.senate.gov)]  
**Sent:** Monday, March 27, 2017 12:01 PM  
**To:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:** RE: It's been a pleasure

hey! I sent the job description over early last week, so my fingers are crossed! Thanks for checking in.

and how are YOU? you must be so busy! we miss you here but I bet you're having fun!

**From:** Jackson, Ryan [<mailto:jackson.ryan@epa.gov>]  
**Sent:** Sunday, March 26, 2017 5:54 PM  
**To:** Stevens, Mae (Cardin) <[Mae\\_Stevens@cardin.senate.gov](mailto:Mae_Stevens@cardin.senate.gov)>  
**Subject:** RE: It's been a pleasure

Did you get your detail?

**From:** Stevens, Mae (Cardin) [[mailto:Mae\\_Stevens@cardin.senate.gov](mailto:Mae_Stevens@cardin.senate.gov)]  
**Sent:** Monday, February 27, 2017 12:42 PM  
**To:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Cc:** Lynch, Chris (Cardin) <[Chris\\_Lynch@cardin.senate.gov](mailto:Chris_Lynch@cardin.senate.gov)>  
**Subject:** RE: It's been a pleasure

Hey! just wanted to clarify: the person's name is Ex. 6 - Personal Privacy and he's actually an ORISE fellow, not an EPA employee. As you know, these fellows very regularly get moved around between the executive and legislative branch. The head of the Office of Smart Growth is Matthew Dalbey.

thanks!

**From:** Stevens, Mae (Cardin)  
**Sent:** Monday, February 27, 2017 10:25 AM  
**To:** 'Ryan Jackson ([jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov))' <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Cc:** Lynch, Chris (Cardin) <[Chris\\_Lynch@cardin.senate.gov](mailto:Chris_Lynch@cardin.senate.gov)>  
**Subject:** RE: It's been a pleasure

Ryan! Congrats! I knew that E&E article was on the money ☺

I'm sure you're busy getting settled in, but we are actually having a problem with an EPA detailee who was supposed to start today. They have been told that they are not allowed to come to our office because they don't want the transfer to make their office look partisan. That doesn't make a lot of sense to us. We've never thought of fellows or career employees (who are also often detailed over here) and the office has done a lot of great work all across the country, and has been historically supported by Democrats and Republicans alike, including Sen. Inhofe:  
<https://www.epa.gov/smartgrowth/smart-growth-your-community>

Do you think something can be done?

Thanks and big congrats again! Very glad to have you over there.  
Mae

**From:** Jackson, Ryan (Inhofe)  
**Sent:** Sunday, February 26, 2017 1:05 PM  
**To:** Jackson, Ryan (Inhofe) <[Ryan\\_Jackson@inhofe.senate.gov](mailto:Ryan_Jackson@inhofe.senate.gov)>  
**Subject:** It's been a pleasure

It has been a real pleasure to get the opportunity to work with you over the past number of years.

I just wanted to let you know that I'm looking forward to continue to work with you only in a different capacity.

I will be EPA Administrator Scott Pruitt's chief of staff, and I wanted to provide you with my new contact information.

Thank you and see you soon.

Ryan.

---

Ryan Jackson

Chief of Staff

U.S. Senator James M. Inhofe

205 Russell Senate Office Building

Washington, D.C. 20510

(202) 224-4721

(202) 228-1007 facsimile

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Reeder, John  
**Sent:** Tue 2/28/2017 3:11:10 AM  
**Subject:** Re: weeklies

## Ex. 5 - Deliberative Process

Sent from my iPhone

On Feb 27, 2017, at 10:07 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

## Ex. 5 - Deliberative Process

---

**From:** Reeder, John  
**Sent:** Monday, February 27, 2017 12:26 PM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** weeklies

Ryan,

I'm terribly sorry we had a break down on the weeklies getting to your hands. I specifically asked if you got them on Friday. I was told yes, but actually your copies and others were allegedly given to Dave Schnare. I haven't verified that. But no matter, this won't happen again.

## Ex. 5 - Deliberative Process

john e reeder  
202 564 6082 (direct)

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Reeder, John  
**Sent:** Tue 4/11/2017 8:30:36 PM  
**Subject:** RE: Parking

Yes, I just sent a request to Donna.

## **Ex. 5 - Deliberative Process; Ex. 2**

**From:** Jackson, Ryan  
**Sent:** Tuesday, April 11, 2017 3:46 PM  
**To:** Reeder, John <Reeder.John@epa.gov>  
**Subject:** Re: Parking

Yes I'd like to do that. Will you let Donna know?

Plus I need to pay for parking. How do I get that done?

Ryan Jackson

Chief of Staff

U.S. EPA

**Ex. 6 - Personal Privacy**

On Apr 11, 2017, at 1:29 PM, Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)> wrote:

## **Ex. 5 - Deliberative Process; Ex. 2**

# **Ex. 5 - Deliberative Process; Ex. 2**

Thank you

JReeder

**Ex. 6 - Personal Privacy**



**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Reeder, John  
**Sent:** Fri 3/10/2017 4:08:32 PM  
**Subject:** RE: upcoming absence for me

Thank you.

We did 90 minutes of scheduling work this am, and got all of March “recommended” for you.

**From:** Jackson, Ryan  
**Sent:** Friday, March 10, 2017 9:44 AM  
**To:** Reeder, John <Reeder.John@epa.gov>  
**Cc:** Flynn, Mike <Flynn.Mike@epa.gov>  
**Subject:** Re: upcoming absence for me

No worries.

Ryan Jackson

Chief of Staff

U.S. EPA

**Ex. 6 - Personal Privacy**

On Mar 10, 2017, at 9:33 AM, Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)> wrote:

**Ex. 6 - Personal Privacy**

Thanks

JReeder

202 564 6082 (direct)

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Reeder, John  
**Sent:** Thur 3/23/2017 1:40:37 PM  
**Subject:** RE: two things

Any reaction to the rest of this?

Also, I'd like to spend a little time mapping the workflow for all the things you have to handle. I think we have a few things organized (things covered by your memo on "processes"), but need to get a handle on the rest of your portfolio.

JReeder  
564 6082

---

**From:** Jackson, Ryan  
**Sent:** Wednesday, March 22, 2017 7:30 PM  
**To:** Reeder, John <Reeder.John@epa.gov>  
**Cc:** Flynn, Mike <Flynn.Mike@epa.gov>  
**Subject:** RE: two things

## Ex. 5 - Deliberative Process

---

**From:** Reeder, John  
**Sent:** Wednesday, March 22, 2017 6:39 PM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Cc:** Flynn, Mike <Flynn.Mike@epa.gov>  
**Subject:** two things

## Ex. 5 - Deliberative Process

# **Ex. 5 - Deliberative Process**

PS: thanks for issuing the “processes” memo while I was gone. A nice surprise.

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Reeder, John  
**Sent:** Thur 3/23/2017 12:07:16 AM  
**Subject:** Re: two things

**Ex. 5 - Deliberative Process**

Sent from my iPhone

On Mar 22, 2017, at 7:29 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

## **Ex. 5 - Deliberative Process**

---

**From:** Reeder, John  
**Sent:** Wednesday, March 22, 2017 6:39 PM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Cc:** Flynn, Mike <Flynn.Mike@epa.gov>  
**Subject:** two things

## **Ex. 5 - Deliberative Process**

# **Ex. 5 - Deliberative Process**

PS: thanks for issuing the “processes” memo while I was gone. A nice surprise.

**To:** Jackson, Ryan[jackson.ryan@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov]  
**Cc:** Fonseca, Silvina[Fonseca.Silvina@epa.gov]  
**From:** Reeder, John  
**Sent:** Thur 4/20/2017 3:31:10 PM  
**Subject:** RE: Organization charts

Silvina will get back to you today or tomorrow. I believe her!

**From:** Jackson, Ryan  
**Sent:** Thursday, April 20, 2017 11:27 AM  
**To:** Reeder, John <Reeder.John@epa.gov>; Flynn, Mike <Flynn.Mike@epa.gov>  
**Subject:** RE: Organization charts

Soon. Not like June.

**From:** Reeder, John  
**Sent:** Thursday, April 20, 2017 9:11 AM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Flynn, Mike <Flynn.Mike@epa.gov>  
**Subject:** RE: Organization charts

Ryan,

Mike has tasked Silvina with vetting the chart. It looks correct to me, but sometime names change, orgs are collapsed and (if outside AO) I wouldn't necessarily know.

What is your deadline?

Thank you.

John R.

564 6082

**From:** Jackson, Ryan  
**Sent:** Thursday, April 20, 2017 9:03 AM  
**To:** Flynn, Mike <[Flynn.Mike@epa.gov](mailto:Flynn.Mike@epa.gov)>; Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)>  
**Subject:** RE: Organization charts

I know, but I'm trying to use something which is all in one place and it seems like though fairly good, this doesn't accurately reflect the different components of the program offices and the regional offices.

**From:** Flynn, Mike  
**Sent:** Thursday, April 20, 2017 8:30 AM  
**To:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)>  
**Subject:** RE: Organization charts

On quick review, this looks accurate. We do have org charts on our intranet for all the offices; we'll take closer look and see if there's something better to use.

Mike

*Mike Flynn*

*Acting Deputy Administrator*

*U.S. Environmental Protection Agency*

*202-564-4711*

**From:** Jackson, Ryan  
**Sent:** Wednesday, April 19, 2017 3:09 PM



**To:** Flynn, Mike <[Flynn.Mike@epa.gov](mailto:Flynn.Mike@epa.gov)>; Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)>  
**Subject:** FW:

Is this an accurate flow chart of the different offices within the program offices and regions? Is there a better one?

**From:** [DC-WJCN-3402-M@epa.gov](mailto:DC-WJCN-3402-M@epa.gov) [<mailto:DC-WJCN-3402-M@epa.gov>]  
**Sent:** Wednesday, April 19, 2017 3:24 AM  
**To:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:**

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Reeder, John  
**Sent:** Tue 3/7/2017 10:08:38 PM  
**Subject:** RE: another matter

The issue I believe is getting the credentials signed for one of the guys. Does that sound right?

## Ex. 5 - Deliberative Process

**From:** Jackson, Ryan  
**Sent:** Monday, March 06, 2017 11:07 AM  
**To:** Reeder, John <Reeder.John@epa.gov>  
**Subject:** Re: another matter

Yeah it was personal security detail.

Ryan Jackson

Chief of Staff

U.S. EPA

### Ex. 6 - Personal Privacy

On Mar 6, 2017, at 9:01 AM, Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)> wrote:

**Ex. 5 - Deliberative Process; Ex. 6** PSD is personnel security detail...the guys traveling with the Administrator. Who was it that asked you to sign something related to a detail? I can track it down.

The Children's Health office direction is Ruth Etzel – [Etzel.ruth@epa.gov](mailto:Etzel.ruth@epa.gov)

**From:** Jackson, Ryan  
**Sent:** Monday, March 06, 2017 10:31 AM  
**To:** Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)>  
**Subject:** Re: another matter

I'm unsure. Psd? Also what's the children's health office head's email? Ruth?

Ryan Jackson

Chief of Staff

U.S. EPA

Ex. 6 - Personal Privacy

On Mar 6, 2017, at 9:29 AM, Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)> wrote:

I'll look into the "detail" question...you mean PSD?

**From:** Jackson, Ryan  
**Sent:** Monday, March 06, 2017 10:19 AM  
**To:** Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)>  
**Subject:** Re: another matter

So I spent this weekend and this flight which I'm still on reading everything I've needed to read for two weeks.

I really like last week's format. Easy to digest. 4 sections. I actually like each program office and region on their own separate sheet with a header instead of in the body of the email.

We might refine slightly but this is a great format. I also looked through the email from me. I'm making slight edits but will be able to send that out no later than Thursday. I wanted to meet with you one more time.

I will also have the beginnings of the memos signed for usual house keeping.

I was asked about signing a personnel matter regarding the detail. I'm not sure where that went.

Ryan Jackson

Chief of Staff

U.S. EPA

**Ex. 6 - Personal Privacy**

On Mar 6, 2017, at 8:33 AM, Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)> wrote:

I saw your notes to Mike...and working to sort thru the dozens of requested briefings/papers and organize the flow back.

ANOTHER Matter, **did you like any of the WEEKLIES?** – we want to recognize the best report. If you really liked one, we can also take to the next level and ask everyone to emulate.

JReeder

202 564 6082 (direct)

PS: **Ex. 6 - Personal Privacy**

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**Cc:** Allen, Reginald[Allen.Reginald@epa.gov]; Fraser, Scott[Fraser.Scott@epa.gov]; Hull, George[Hull.George@epa.gov]; Sowell, Sarah[Sowell.Sarah@epa.gov]; Widener, Charles (Chuck)[Widener.Charles@epa.gov]  
**From:** Reeder, John  
**Sent:** Tue 3/7/2017 8:21:10 PM  
**Subject:** DRAFT Chief of Staff Announcement

Ryan, thank you for the edits.

**PLEASE CONFIRM** (for all the cc's on this note) that it's ok to send out as a message from the Administrator Pruitt? (Sarah and Chuck work in the Internal comms office)

Thank you.

JR



**Ryan Jackson** has joined us as the agency's Chief of Staff. He most recently served as Chief of Staff for U.S. Senator James Inhofe, former chairman and senior member of the U.S. Senate Environment and Public Works (EPW) Committee. Ryan has been Senator Inhofe's chief of staff since January 2011 and worked closely with the senator in other roles including counsel and chief counsel at EPW. During the previous Congress, Ryan also served as the staff director at EPW working closely with EPA on a number of legislative initiatives including the Frank R Lautenberg Chemical Safety for the 21st Century Act, state permitting for coal ash regulation and disposal, and Brownfields reauthorization. Previously, Ryan was an assistant district attorney in Oklahoma's 14th Judicial District covering Tulsa, Oklahoma. He is a native of Oklahoma City and received his BA in public administration and political science at University of Oklahoma and received a law degree from Oklahoma City University.

Ryan Jackson

Chief of Staff

**Cc:** Fraser, Scott[Fraser.Scott@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov]  
**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Reeder, John  
**Sent:** Tue 3/7/2017 7:20:44 PM  
**Subject:** Fwd: DRAFT Chief of Staff Announcement

Ryan, This draft. Please send comments to me and Scott Fraser, who is AO's communications lead, and works for Reggie.

Sent from my iPhone

Begin forwarded message:

**From:** "Fraser, Scott" <Fraser.Scott@epa.gov>  
**Date:** March 7, 2017 at 12:54:49 PM EST  
**To:** "Reeder, John" <Reeder.John@epa.gov>  
**Cc:** "Allen, Reginald" <Allen.Reginald@epa.gov>  
**Subject:** DRAFT Chief of Staff Announcement

Greetings EPA employees,

I am pleased to announce a new member to our leadership team.



**Ryan Jackson** has joined us as the agency's Chief of Staff. He most recently served as Chief of Staff for U.S. Senator James Inhofe, senior member of the U.S. Senate Environment and Public Works (EPW) Committee. Ryan has been Senator Inhofe's chief of staff since January 2011 and worked closely with the senator in other roles including counsel and chief counsel to EPW. Previously, Ryan was an assistant district attorney in Tulsa County and served as associate director for the Oklahoma Farm Bureau Legal Foundation. He is a native of Oklahoma City and studied political science at University of Oklahoma and received a law degree from Oklahoma City University.

I'm very happy to have had his support during my Senate confirmation process and confident he will continue to lead during his new role at EPA.

Please join me in welcoming Ryan to EPA.

Scott Pruitt



**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Reeder, John  
**Sent:** Thur 2/23/2017 4:47:42 AM  
**Subject:** Fwd: Parking

Ryan, hey you have an EPA address! Welcome! Look at Jon's email below requesting

## Ex. 5 - Deliberative Process; Ex. 2

Sent from my iPhone

Begin forwarded message:

**From:** "Konkus, John" <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>  
**Date:** February 22, 2017 at 7:11:09 PM EST  
**To:** "Reeder, John" <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)>  
**Subject:** Parking

John,

## Ex. 5 - Deliberative Process; Ex. 2

John Konkus

**To:** Michelle Hale[[Ex. 6 - Personal Privacy](#)]  
**Cc:** Jackson, Ryan (Inhofe)[[Ryan\\_Jackson@inhofe.senate.gov](mailto:Ryan_Jackson@inhofe.senate.gov)]  
**From:** Reeder, John  
**Sent:** Wed 2/22/2017 3:01:15 AM  
**Subject:** Re: Is this on your radar?

A good first day for the Administrator. I hope he feels that way. As for WGA, I recommend you bring robin Richardson (OCIR) and her staffer jack Bowles into the planning. They have established lines of communication and can help orchestrate the event. They're good at this sort of thing. See you tomorrow.

Sent from my iPhone

On Feb 21, 2017, at 7:53 PM, Michelle Hale <[Ex. 6 - Personal Privacy](#)> wrote:

Got it

On Tue, Feb 21, 2017 at 7:52 PM Jackson, Ryan (Inhofe)

<[Ryan\\_Jackson@inhofe.senate.gov](mailto:Ryan_Jackson@inhofe.senate.gov)> wrote:

It is not.

Michelle, we'll need to talk with him about this tomorrow for sure.

---

Ryan Jackson  
Chief of Staff  
U.S. Senator James M. Inhofe  
205 Russell Senate Office Bldg.  
Washington, D.C. 20510  
(202) 224-4721

On Feb 21, 2017, at 7:15 PM, Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)> wrote:

**From:** Bowles, Jack

**Sent:** Tuesday, February 21, 2017 7:13 PM

**To:** Richardson, RobinH <[Richardson.RobinH@epa.gov](mailto:Richardson.RobinH@epa.gov)>

**Cc:** Benton, Donald <[benton.donald@epa.gov](mailto:benton.donald@epa.gov)>; Bangerter, Layne <[bangerter.layne@epa.gov](mailto:bangerter.layne@epa.gov)>; Cook-Shyovitz, Becky <[Cook-Shyovitz.Becky@epa.gov](mailto:Cook-Shyovitz.Becky@epa.gov)>; Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)>; Flynn, Mike <[Flynn.Mike@epa.gov](mailto:Flynn.Mike@epa.gov)>

**Subject:** Re: governors meeting this Sunday

Hello All,

Just touched base with WGA and they will shoot us a draft agenda in the morning that includes the Administrator. Past agendas have been fairly generic as Robin stated earlier - Welcome from the Administrator as host, then turn it over to the WGA chair and co-chair, then governors' round table, then informal discussion. And breakfast up front.

This is closed press and a great opportunity to interact with a key cohort of governors in an informal setting.

I will add that without confirmations yet for typical invitees (USDA, DoE, DoI) federal cabinet level participation won't be what it has been in previous years.

Best Regards,

Jack

Sent from my iPhone

On Feb 21, 2017, at 6:07 PM, Richardson, RobinH  
<[Richardson.RobinH@epa.gov](mailto:Richardson.RobinH@epa.gov)> wrote:

Hi Don –

Administrator Pruitt has been invited to two events Sunday, 2/26/17;

- Western Governors Association Breakfast meeting, 7:30am – 9:30am in the Green Room where he would serve as host, provide a few opening remarks on issues of concern to Western states and then turn the meeting

over to the WGA Chairman, Governor Steve Bullock of Montana, for the committee chair reports; and

- National Governors Association Open "Office Hours" from 3:00pm – 4:30pm at the JW Marriott where the Administrator would have opportunities for one-on-one discussions or informal conversations with individual Governors.

I'll double check on an agendas for the WGA Breakfast. I'm not sure the NGA Office Hours will have a formal agenda. I'll make sure though and let you know. I also attached the two meeting requests.

The third meeting request is from Governor Calvo and Administrator Walter Leon Guerrero from Guam. They would like to speak with the Administrator while they are here in DC. While they haven't confirmed for the breakfast (I'll double check this too.) the Sunday events would probably offer the best time for them to meet.

I hope this helps. If you have any other questions please let us know.

Best, Robin

-----

Robin H Richardson

Principal Deputy Associate Administrator

Office of Congressional and Intergovernmental Relations

U.S. Environmental Protection Agency

202-564-3358 (desk)

Ex. 6 - Personal Privacy (cell)

[richardson.robinh@epa.gov](mailto:richardson.robinh@epa.gov)

**From:** Benton, Donald  
**Sent:** Tuesday, February 21, 2017 5:14 PM  
**To:** Richardson, RobinH <[Richardson.RobinH@epa.gov](mailto:Richardson.RobinH@epa.gov)>; Bangerter, Layne <[bangerter.layne@epa.gov](mailto:bangerter.layne@epa.gov)>  
**Subject:** governors meeting this Sunday

Robin, Can you please secure the details for the Western governors conference this Sunday here. I need time, length of event, etc and an agenda for the meeting.

Don

Senator Don Benton

Senior White House Advisor

Office of the Administrator

202.564.4711

<image001.gif>

<2017 WGA Breakfast Request.docx>

<NGA Meeting Request 2017.docx>

<Gov Calvo Meeting Request 2017.docx>

**To:** Jackson, Ryan (Inhofe)[Ryan\_Jackson@inhofe.senate.gov]  
**From:** Reeder, John  
**Sent:** Wed 2/22/2017 12:15:30 AM  
**Subject:** Is this on your radar?

**From:** Bowles, Jack  
**Sent:** Tuesday, February 21, 2017 7:13 PM  
**To:** Richardson, RobinH <Richardson.RobinH@epa.gov>  
**Cc:** Benton, Donald <benton.donald@epa.gov>; Bangerter, Layne <bangerter.layne@epa.gov>; Cook-Shyovitz, Becky <Cook-Shyovitz.Becky@epa.gov>; Reeder, John <Reeder.John@epa.gov>; Flynn, Mike <Flynn.Mike@epa.gov>  
**Subject:** Re: governors meeting this Sunday

Hello All,

Just touched base with WGA and they will shoot us a draft agenda in the morning that includes the Administrator. Past agendas have been fairly generic as Robin stated earlier - Welcome from the Administrator as host, then turn it over to the WGA chair and co-chair, then governors' round table, then informal discussion. And breakfast up front.

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I will add that without confirmations yet for typical invitees (USDA, DoE, DoI) federal cabinet level participation won't be what it has been in previous years.

Best Regards,

Jack

Sent from my iPhone

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I hope this helps. If you have any other questions please let us know.

Best, Robin

-----

Robin H Richardson

Principal Deputy Associate Administrator

Office of Congressional and Intergovernmental Relations

U.S. Environmental Protection Agency

202-564-3358 (desk)

Ex. 6 - Personal Privacy (cell)

[richardson.robinh@epa.gov](mailto:richardson.robinh@epa.gov)

**From:** Benton, Donald

**Sent:** Tuesday, February 21, 2017 5:14 PM

**To:** Richardson, RobinH <[Richardson.RobinH@epa.gov](mailto:Richardson.RobinH@epa.gov)>; Bangerter, Layne  
<[bangerter.layne@epa.gov](mailto:bangerter.layne@epa.gov)>

**Subject:** governors meeting this Sunday

Robin, Can you please secure the details for the Western governors conference this Sunday here. I need time, length of event, etc and an agenda for the meeting.

Don

Senator Don Benton

Senior White House Advisor

Office of the Administrator

202.564.4711

<image001.gif>

<2017 WGA Breakfast Request.docx>

<NGA Meeting Request 2017.docx>

<Gov Calvo Meeting Request 2017.docx>



**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Reeder, John  
**Sent:** Mon 3/6/2017 3:29:20 PM  
**Subject:** RE: another matter

Thank you Ryan

**From:** Jackson, Ryan  
**Sent:** Monday, March 06, 2017 10:19 AM  
**To:** Reeder, John <Reeder.John@epa.gov>  
**Subject:** Re: another matter

So I spent this weekend and this flight which I'm still on reading everything I've needed to read for two weeks.

I really like last week's format. Easy to digest. 4 sections. I actually like each program office and region on their own separate sheet with a header instead of in the body of the email.

We might refine slightly but this is a great format. I also looked through the email from me. I'm making slight edits but will be able to send that out no later than Thursday. I wanted to meet with you one more time.

I will also have the beginnings of the memos signed for usual house keeping.

I was asked about signing a personnel matter regarding the detail. I'm not sure where that went.

Ryan Jackson

Chief of Staff

U.S. EPA

Ex. 6 - Personal Privacy

On Mar 6, 2017, at 8:33 AM, Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)> wrote:

I saw your notes to Mike...and working to sort thru the dozens of requested briefings/papers and organize the flow back.

ANOTHER Matter, **did you like any of the WEEKLIES?** – we want to recognize the best report. If you really liked one, we can also take to the next level and ask everyone to emulate.

JReeder

202 564 6082 (direct)

PS: reminder I have a foot dr appointment late this morning.

**To:** Jackson, Ryan (Inhofe)[[Ryan\\_Jackson@inhofe.senate.gov](mailto:Ryan_Jackson@inhofe.senate.gov)]  
**From:** Reeder, John  
**Sent:** Mon 2/20/2017 2:32:46 AM  
**Subject:** RE: CHANGE

That's great. I'll let them know the "thanks."

Enjoy your last day off for probably some time!

John R.

**From:** Jackson, Ryan (Inhofe) [[mailto:Ryan\\_Jackson@inhofe.senate.gov](mailto:Ryan_Jackson@inhofe.senate.gov)]  
**Sent:** Sunday, February 19, 2017 7:48 PM  
**To:** Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)>  
**Subject:** Re: CHANGE

Your team did it. I'm all submitted now. Much appreciated Suzanne's help this weekend.

---

Ryan Jackson

Chief of Staff

U.S. Senator James M. Inhofe

205 Russell Senate Office Bldg.

Washington, D.C. 20510

(202) 224-4721

On Feb 19, 2017, at 12:07 AM, Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)> wrote:

Now you're beyond my depth. I'll see if I can find out tomorrow.

Sent from my iPhone

On Feb 18, 2017, at 6:54 PM, Jackson, Ryan (Inhofe) <[Ryan\\_Jackson@inhofe.senate.gov](mailto:Ryan_Jackson@inhofe.senate.gov)> wrote:

Actually, I've discovered that I have which is good.

The bad part is that OPM has not sent me a registration code to go through the Equip form to submit. Is there a standard code?

**From:** Reeder, John [<mailto:Reeder.John@epa.gov>]  
**Sent:** Friday, February 17, 2017 3:21 PM  
**To:** Jackson, Ryan (Inhofe) <[Ryan\\_Jackson@inhofe.senate.gov](mailto:Ryan_Jackson@inhofe.senate.gov)>  
**Cc:** Allen, Reginald <[Allen.Reginald@epa.gov](mailto:Allen.Reginald@epa.gov)>  
**Subject:** RE: CHANGE

Good.

Ryan did you get asked to fill out paperwork for your background check? People tell me that it's needed before you can be "official" COS.

If this doesn't ring a bell ... Tell me, and I'll have it re-sent to you.

JReeder

564 6082

**From:** Jackson, Ryan (Inhofe) [[mailto:Ryan\\_Jackson@inhofe.senate.gov](mailto:Ryan_Jackson@inhofe.senate.gov)]  
**Sent:** Friday, February 17, 2017 3:16 PM  
**To:** Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)>  
**Cc:** Allen, Reginald <[Allen.Reginald@epa.gov](mailto:Allen.Reginald@epa.gov)>; Weese, Eric <[Weese.Eric@epa.gov](mailto:Weese.Eric@epa.gov)>  
**Subject:** Re: CHANGE

All done. Thanks for this.

---

Ryan Jackson

Chief of Staff

U.S. Senator James M. Inhofe

205 Russell Senate Office Bldg.

Washington, D.C. 20510

(202) 224-4721

On Feb 17, 2017, at 1:55 PM, Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)> wrote:

Ok, quick developments here. Our PSD with gov car **WILL** be able pick up Mr. Pruitt. You should commence direct detail arrangements with Ex. 6 - Personal Privacy; 7(c)

It will be completely legal, based on conversations we've had with the White House and our own General Counsel.

Thanks.

JReeder

202 554 6082

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**From:** Reeder, John  
**Sent:** Friday, February 17, 2017 1:44 PM  
**To:** '[ryan\\_jackson@inhofe.senate.gov](mailto:ryan_jackson@inhofe.senate.gov)' <[ryan\\_jackson@inhofe.senate.gov](mailto:ryan_jackson@inhofe.senate.gov)>  
**Subject:** RE: issue

you can call my direct 564 6082, or mobile Ex. 6 - Personal Privacy (I'm stepping out to pick up lunch)

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**From:** Reeder, John  
**Sent:** Friday, February 17, 2017 1:43 PM  
**To:** 'ryan\_jackson@inchofe.senate.gov' <ryan\_jackson@inchofe.senate.gov>  
**Subject:** issue

Ryan,

I know you talked with Ex. 6 - Personal Privacy; 7(c) about picking up AG Pruitt from the hotel. I hate to be the one to tell you, but we cannot drive Mr. Pruitt or provide security until he takes the oath of office.

I have an alternative approach that would work...but we should talk "live" to be sure you're comfortable with the solution before setting anything in motion.

John E. Reeder

Acting Chief of Staff

202 564 6082 (direct)